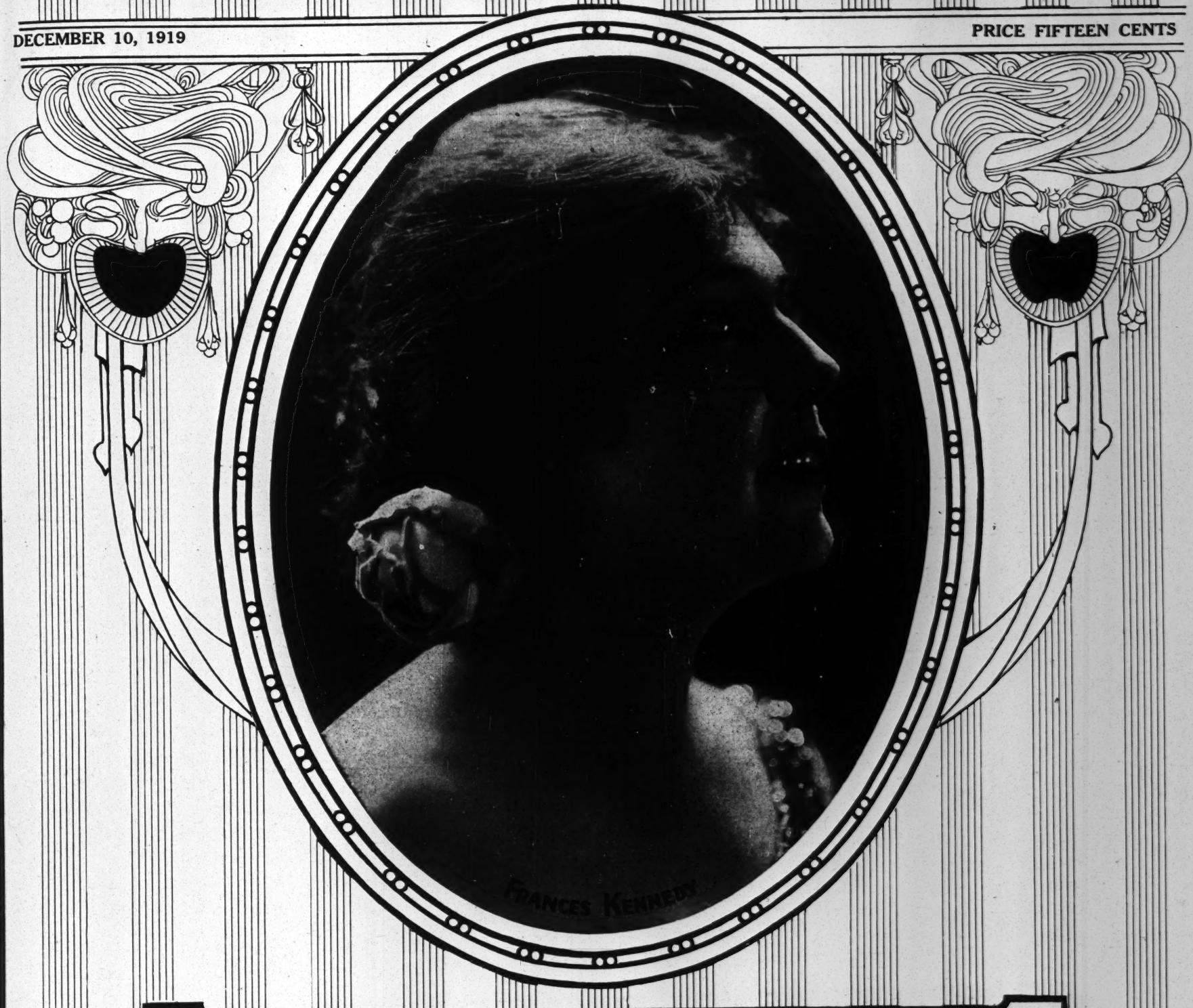


The NEW YORK
CLIPPER
THE OLDEST THEATRICAL PUBLICATION IN AMERICA

DECEMBER 10, 1919

PRICE FIFTEEN CENTS



THE NATIONAL THEATRICAL WEEKLY

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The NEW YORK CLIPPER

THE OLDEST THEATRICAL PUBLICATION IN AMERICA

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Founded by
FRANK QUEEN, 1853

NEW YORK, DECEMBER 10, 1919

VOLUME LXVII—No. 44
Price, Fifteen Cents, \$5.00 a Year

TICKET AGENCIES PLAN BIG COMBINE

LE BLANG BEHIND DEAL

A series of conferences for the purpose of organizing a huge ticket agency merger, with a proposed capitalization of upwards of \$2,000,000, have been in progress during the last four weeks. The prime mover at these conferences has been Joe LeBlang, the cut-rate ticket man, who conceived the proposed merger. Those interested with him in formulating the plan are the Fallon brothers, of the Tyson Agency, and Thomas McBride, of the McBride Agency. This was learned last Saturday, following a conference held the previous evening between LeBlang and the heads of the agencies mentioned.

The plan, according to LeBlang, is to get the principal brokers to turn over their businesses to the combine which would be formed, each broker receiving a lump sum and a block of stock in the new organization. The amount of money and stock each broker would receive would be in proportion to the computed valuation of his business. Valuations would be computed by expert accountants after a careful survey of the books of each agency.

For example, if the valuation of the Tyson Agency were found to be \$250,000, a substantial sum in cash would be given to the Fallon brothers and the balance would be paid in stock of the proposed new corporation. In addition, the heads of recognized larger agencies would be made salaried executives of the corporation and also hold places on the board of directors, whose personnel would consist of the heads of almost all the agencies comprising the combine. It was also explained that the proposed merger is not intended to create a monopoly of the ticket business so that the smaller legitimate brokers may be driven out of business; that it was devised primarily for the purpose of establishing the ticket agency business on a firm and commercial footing.

At the present time, there are about twenty recognized agencies that control the theatre ticket business, and the service it entails. Their methods, for the most part, of obtaining the choice seats from the various theatres are hectic and of the catch-as-catch-can variety, to say the least. The result is that everybody seems to be out for himself and the business is being more and more frowned upon and inveighed against by the public in general and the newspapers in particular.

Besides, as was pointed out, a merger of the ticket agencies would tend to centralize the business, in which event there would be little or no

(Continued on Page 7.)

WIFE SUES SHEEDY

James H. Sheedy, sometimes said to be a booking agent in the Putnam Building and a son of M. F. Sheedy, who heads the agency of that name, was sued by his wife last week for a separation through Kelvie Frankel, of the law firm of Frankel, Barnett and Bachrach, Harry Saks Hechheimer represents Sheedy.

In her complaint, Mrs. Sheedy, who is a dancer, states that she was married in February of last year, but that her husband has never provided for her. In addition, she states that she shortly discovered him to be a victim of the drug habit and that he frequently beat and swore at her and stayed away from home for days at a time, finally deserting her after they had lived together three months.

After this state of affairs had existed for some time, Mrs. Sheedy says that she had him summoned to the Domestic Relations Court, where the judge ordered him to pay her a sum of money weekly for living purposes. This he did for one week she states and then forgot about it and, although she had him in court eight times in all, she could never get him to obey, she swears.

The papers in the case including an affidavit by Alexander S. Green then state that Sheedy makes fully \$300 per week about the race tracks as a bookmaker and ask that the wife be granted \$200 weekly alimony and counsel fee of \$1,000. The motion for these was heard Monday by Justice Greenbaum.

KANSAS RE-ARRANGES TAX

KANSAS CITY, Dec. 5.—A new theater tax schedule, differing principally in a new classification of legitimate theaters, has been adopted here. It became effective at once and supersedes the schedule adopted September 11.

The old schedule included besides circuses, tractor and motor car exhibitions, horse and stock shows, and affected directly the American Royal and other big Kansas City exhibitions. The new schedule doesn't include exhibitions of that variety.

A reduction from \$75 to \$62.50 a month was made in the tax of theaters charging not more than \$1.50 admittance. The order provides also that the tax on amusement parks that charge admittance will be \$100 a month and it may be prorated among exhibitors or paid by the park. The new schedule follows:

Theaters charging not more than \$1, \$25 a month.

Theaters charging not more than \$1.50, \$62.50 a month.

Theaters charging more than \$1.50, \$100 a month.

Moving picture theaters within a boundary between the Missouri River and Fifteenth Street and from the State Line to Holmes Street, \$100 a year.

Moving pictures in Kansas City outside the above limits \$50 a year.

Circuses, \$500 first day, \$60 each following day.

Skating rinks, knife racks, cane racks, etc., \$5 a week. Shooting galleries, \$25 a year.

Federal Trade Commission Files Vaudeville Prob. Brief

Attorneys John Walsh and William C. Reeves, Set Forth That Allegations in the Complaint Have Been Proved—Respondents Have 30 Days in Which to Submit Answer

WASHINGTON, Dec. 8.—The brief of attorneys John Walsh and William C. Reeves in the investigation of the Federal Trade Commission into the affairs of the Vaudeville Managers' Protective Association, the National Vaudeville Artists, the B. F. Keith Vaudeville Exchange, the Vaudeville Collection Agency and other vaudeville interests, was filed with the commission last Friday, several days before the scheduled time. It sets forth that the allegations of the complaint have been proved. The respondents have thirty days, or, until January 5th, to file their answer. The conclusion of the attorneys, which was reached after rolling up over 2,000,000 words of testimony and exhibits, is set forth in the brief in these words:

"The summarization of the facts in this brief we submit is a dispassionate statement, without emphasis or color, of the material matters proved upon the hearing. The evidence discloses beyond dispute that the respondents have a machine which gives them unqualified domination of the entire vaudeville industry of the United States, and that they can, and do, use such machine to control the weal of the actor and to make him subservient to their every requirement or demand; that they are in a position to say, and do say, who, and under what terms others, shall engage in the conducting of vaudeville theatres; that they can, and do, eliminate competition in the booking of acts, and generally exercise an autocratic control over the industry that eliminates all semblance of competition in any branch thereof.

"That such a situation, from a public viewpoint, is an unhealthy condition is not a subject for argument. The allegations of the complaint have been proved and the commission has the foundation from such facts proved to make findings thereof and a statutory order requiring the respondents to cease and desist from their unlawful practices."

The brief, in full, follows:

BEFORE FEDERAL TRADE COMMISSION

DOCKET 128

Complaint in the matter of the alleged violation of Section 5 of the Act of Congress, approved, September 26, 1914.

— — — — —
Federal Trade Commission)
v.)
The Vaudeville Managers Protective Ass'n.)
The National Vaudeville Artists, Inc.)
The B. F. Keith Vaudeville Exchange.)
Vaudeville Collection Agency)
E. F. Albee, Sam A. Scribner,)
Marcus Loew, Martin Beck,)
B. S. Moss, Sime Silverman.)
— — — — —

Brief of Attorneys for the Federal Trade Commission.
Statement of the Case

This is a proceeding under Section 5 of the Act of September 26, 1914 (38 Stat. 719) directing respondents to appear and show cause why an order to cease and desist from the use of certain alleged unfair methods of competition, should not issue.

The complaint herein is grounded upon the charge that respondents are a combination in restraint of commerce among the States, and that certain of them have a monopoly of the vaudeville theatre, burlesque theatre and circus business. Some of the various means employed by respondents to restrain commerce and maintain a monopoly are set out in the complaint and include:

(1) The crushing of an Association of vaudeville actors, known as the "White Rats Actors Union" and "Associated Actresses of America", and creating in its stead the respondent, National Vaudeville Artists, Inc.

(2) Requiring actors appearing in theatres operated by members of the combination to warrant they were members of the National Vaudeville Artists, Inc., and not members of the White Rats Actors Union; and that in the event this warranty or representation shall be found untrue, any contract of employment of the actor might be cancelled.

(3) The maintenance of a booking office, the stock of which is held by members of the combination, and the collection from actors of fees or commissions in the maximum amount allowed by law, for obtaining for such actors contracts of employment for appearances in theatres operated by members of the combination, and giving franchises to so-called "Personal Representatives" of actors, authorizing them to represent the actors in the booking offices, and for such service to also charge the maximum amount allowed by law for obtaining employment for actors; thus requiring performers to pay double the amount authorized by law for securing engagements.

(4) The maintenance of a collection agency, the stock of which is held by members of the combination, which agency collects the fees for the "personal representatives" and in most instances retains one-half of such fees for its service.

(5) The use of the publication known as "Variety" for furnishing the necessary publicity in the furtherance of the purpose of the combination, and in return, procuring for "Variety" from members and performers patronage of the advertising columns of that publication.

(6) That all of said respondents with the intent, purpose and effect of stifling and suppressing competition in the monopolization of the business of operating vaudeville theatres, burlesque theatres, and circuses, have conspired and confederated together for the purpose of making and publishing a blacklist of actors and theatres, to the end that members of the combination would not employ performers whose names were on such blacklists, but would only employ performers who were members in good standing of the National Vaudeville Artists, Inc.

It may be only fair to the respondents to state at the outset that a great many of the means employed by them in the initial stages of the combination have since been abandoned or suspended, possibly due to the fact that the complaint herein was issued, or the further fact that the organization or combination had

(Continued on Page 14.)

Memorial Day Fund Drive Will Total \$2,000,000.

New York City, Alone, Raised \$696,643 for Maintenance of Thespian Home on Staten Island; Other Cities Do Well Also

With special matinee performances in 221 theatres throughout the country and in more than fifty metropolitan playhouses, the drive to secure sufficient funds to place the Actor's Fund upon a firm financial basis, was brought to a close last Friday, December 5th, the first annual Actors' Memorial Day. It is expected that, when everything is in, \$2,000,000 will have been raised.

The New York contribution, as far as counted, totals \$696,643. Forty-five cities throughout the nation have reported a total of \$113,772, with many cities still to be heard from.

Although Memorial Day was the culmination of the drive, the campaign for an endowment fund will continue indefinitely. Special drives have been started in a number of cities that did not participate in Friday's demonstration.

The swift pace set by business men and others in aid of the campaign in New York could not be equaled in other cities. The metropolitan houses brought from \$15,000 to \$75,000 each. The Hudson Theatre was an example, yielding \$40,000. Most of the trades that had underwritten the theatres assigned them turned back the bulk of tickets bought and they were resold.

Some of the largest subscriptions received were given by members of or closely linked with the theatrical profession. They include George M. Cohan, \$100,000; Coleman Dupont, \$10,000; Famous Players, Lasky Company, \$5,000; United Artists, \$5,000; Vitagraph Company, \$5,000; Elsie Ferguson Clark, \$2,500; Leo Feist, \$1,250; Alice Joyce, \$1,000; B. S. Noss, \$1,000; and the Theatre Assembly, \$500.

In Philadelphia, a big vaudeville performance marked the culmination of the drive in that city. The program was arranged by Harry T. Jordan and Fred G. Nixon-Nirdlinger and presented at the Forrest Theatre. Those who appeared on the bill were, Barry McCormack, of "Sunrise"; Joseph Company of Jugglers; "The Old Homestead Quartett"; Grant Mitchell and Company, in the second act of "A Prince There Was"; Jimmy Hussey and Company in "Move On"; Julia Sanderson, Joseph Cawthorn, Doyle and Dixon, Maude Eburne and Marie Callahan, "The Canary"; Lew Fields, of "A Lonely Romeo"; Charlotte Walker and Ernest Lawford, of "Sometime"; William and Gordon Dooley with the Winter Garden Girls; and an act of "Dadies". Total box-office receipts amounted to more than \$20,000, a record performance for that city.

The race between the Chicago playhouses brought the Wood's theatre to the lead, with \$8,200 in pledges; the Illinois second with \$7,650; Garrick \$6,400; Cohan's Grand, \$6,385; Olympic, \$5,900, totaling more than \$34,000. Constance Binney, appearing in "39 East" at the Princess, sold six of her autographed photos from the stage Friday night and netted \$400 for the fund.

Incomplete returns from other cities to date, are as follows: St. Paul and Minneapolis, \$15,000; Cincinnati, \$7,000; Jersey City, \$4,000; Newark, \$10,000; Baltimore, \$15,000; Waterbury, \$1,500; Niagara Falls, \$600; Montreal, \$5,000; Wilkes-Barre, \$650; Providence, \$8,200; Miami, Fla., \$700;

transatlantic and coastwise passenger ships have been received by the Fund committee, stating that special programs were presented at sea, on Friday.

The sum from the campaign will be used as an endowment of the Actors' Home on Staten Island. This institution, expending about \$80,000 a year, cares for the needy and disabled veterans of the stage.

GIRL WINS MOROSCO PRIZE

To Rachel Barton Butler goes the distinction of winning the first Oliver Morosco prize of \$500 for the best play submitted by members of Professor George Baker's classes in playwriting at Harvard and Radcliffe colleges. The piece was chosen from forty-two manuscripts submitted as the most worthy of production by Winthrop Ames, Oliver Morosco and Dr. Baker, who acted as judges.

Miss Butler's play, which is called "Mama's Affair," and is a comedy in three acts, has already been placed in rehearsal and will be presented by Mr. Morosco at the Little Theatre on the first of the year. The cast will include as principals Effie Shannon, Amelia Bingham, William Archer and Montague Love.

This is Miss Butler's first play to receive production on the New York stage. In 1915 she won the MacDowell Fellowship and her first play "Prudence in Particular" was produced at Dr. Baker's play shop at Harvard. The following year she entered the Radcliffe dramatic school which is affiliated with the Harvard class. With the production of this, her first play to get a metropolitan showing, Miss Butler intends entering the dramatist field as a professional.

ARRANGE WORLD TOUR

With the Imperial Chinese Insurance Company as backers and underwriters of the project, Raymond Peck and George Smithfield are recruiting a company of principals and girls which will tour the world presenting American musical comedy successes. Secrecy has been displayed in the matter and negotiations have been going on quietly. But details of the venture were learned Monday.

All the feminine principals and the chorus girls will be signed in New York, with the men picked up in San Francisco. Those now negotiating the business are giving bonded guarantees that every one will be brought back to New York, and, in return, they are requiring that a contract for the full tour be signed by those who will make it. Two years is set as the maximum time it will take to go around the world, although the promise is held out that it may be of shorter length. For this reason, the contracts read "For the Tour."

So far as principals are concerned, the managers have given orders that "names" are not necessary; any one who can meet singing and dancing requirements will do. Of the chorus girls it is required only that they be good looking and, if possible, blonde. Although it was not stated officially, it is understood that girls will be paid \$50 a week and what expenses in traveling and living are incurred. Actors' Equity contracts will be issued to chorus and principals alike.

The first stop in the proposed trip is Honolulu, with the jump then to Manila, then to Japan and China, the route then continuing to several cities in India, South Africa and the Mediterranean cities. The home stretch will bring the troupe through Paris.

As the company is gradually recruited, rehearsals will be held in New York awaiting the completion of the business details and the booking arrangements. The first musical comedy that will be put in rehearsal will be "Oh, Boy," with "Oh, My Dear" to follow. The complete repertoire will include fourteen plays, all of the intimate style where too many principals are not necessary and the chorus can be held down to about twelve girls.

Neither Peck nor Smithfield would confirm the report that they would accompany the troupe in a managerial capacity. They said they simply were acting as agents in getting it together. The tour will begin around the middle of January, with the company assembled at San Francisco and the first play town Honolulu.

SAY F.P.L. BACKED "APHRODITE"

Famous Players-Lasky announced Monday that it had secured the motion picture rights to "Aphrodite," the spectacle produced by Comstock and Gest and now current at the Century Theatre. Immediately the impression arose that an enormous price must have been paid. It is one of the biggest things ever done in this country, and, with the publicity it received the day after its opening, its value was almost doubled so far as the country outside of New York was concerned.

However, following the announcement of the film company, there was a persistent report that the film rights had cost the picture people nothing. They are reported to have backed the presentation of the production, conditionally that they be given the screen rights after it had served its value on the stage. This was also rumored with the first announcement that Dorothy Dalton, a Famous Players-Lasky star, would have the chief role.

The run of the piece at the Century is for only nine weeks, with several of the larger cities in prospect. But there is a possibility that, with road conditions what they are, it may not.



ALMA ADAIR
Featured Prima Donna in
ANATOL FREIDLAND'S "MUSICLAND"
B. F. Keith's Bushwick, This Week, Dec. 8th
B. F. Keith's Orpheum, Next Week, Dec. 15th

London Actors Win Fight With West End Managers

Demands Granted After Long and Bitter Differences—Contract To Be Known as The Valentine Contract—Lower Salaried Players Gain Much

LONDON, Eng., Dec. 6.—The differences that, for some time past, have embittered the West End Managers and the Actor's Associations, in the latter's fight for a new equitable contract, have ended in victory for the actors, who not only are granted what they have been fighting for, but, with the exception of one clause, have been given more than they sought. The new contract will be looked upon as the unwritten charter of the entire theatrical profession.

There is only one regret among the members of both organizations and that is that the victorious end of the conflict should have come about after the death of Sidney Valentine, chairman of the Council of the Actor's Association, who worked incessantly to make the contract a possibility and whose efforts, more than anything else, were responsible for the final peaceful settlement. Valentine, who had been working strenuously for the last six months, collapsed during a recent meeting of discussion over the contract. In respect to his memory and his faithful efforts, the new contract will be known as "The Valentine Contract."

MAGICAL WITH WOMEN, TOO

SAN FRANCISCO, Cal., Dec. 6.—Alleging that a half-dozen women are affinities of her husband, Mrs. Korinne M. Carter filed a suit last week for separate maintenance against Charles J. Carter, the magician. Mrs. Carter claims that her husband is now planning to take Miss Adele Tillson, said to be his latest heart's fancy, on a tour of the Orient. The Carters recently moved into a new \$20,000 residence on Seal Cliff Drive in San Francisco.

According to Mrs. Carter, her husband's love episodes cover the world, having, she claims occurred in Calcutta, Dublin, London, Paris and Shanghai.

In her complaint Mrs. Carter names the following: Mrs. Marian Wiggington, Mrs. Philip Henrici, Miss Bryant, Miss Gulida Busch, Miss Walters, Miss Florence Gaffney and Adele Tillson. All of these women were dined and wined by Carter, according to the complaint filed by Attorney William A. Breen, and some of them were taken into his company supplanting his wife for a time as leading woman.

Mrs. Carter asks for \$300 a month separate maintenance, attorney's fees and a division of property. The Carters were married in Oakland, Calif., May 24th, 1894, and have a son Lawrence J. Carter, aged 24, a theatrical man located in New York.

SEEK NAT WILLS WIDOW

The mother of May Day is seeking the present address of her daughter. Miss Day is a former vaudevillian and the widow of the late Nat Wills.

CECIL LEAN COMING IN

"Look Who's Here," Max Spiegel's musical production in which Cecil Lean and Cleo Mayfield are the featured players, is scheduled to open here at the Casino Theatre January 11.

"FOREVER AFTER" TAKES \$16,000
BOSTON, Dec. 5.—Alice Brady, who played here last week at The Plymouth Theatre, in "Forever After," did a gross of over \$16,000 on the week.

Some very important concessions are obtained by actors and actresses earning less than \$40 weekly, to whom in the main the contract refers. Payment for rehearsals are conceded; rehearsals are not to last more than six hours, exclusive of time for rest and refreshments, and the definite date of production is to be inserted in every contract. Entertainments must be produced within a week of that date, when full salary will begin.

A week's work is to be eight performances, with extra performances paid for at the rate of one-eighth of one week's salary. The minimum salary for any artist is fixed at \$12. In all nonmusical plays women's costumes must be provided by the management and in all cases shoes, dresses and gown must be supplied. No man earning less than \$40 a week is to supply more than one, to be afterward used in every day life. No actor, whatever his salary, shall be called upon to provide more than three suits for one production. The contract also provided greater security for employment, for every player must now be engaged for the full term of the piece or not less than six weeks.

WANT THEIR CANDLE BIT

Roach and McCurdy have called the attention of the N. V. A. complaint bureau to Al Barnes and Company, claiming that the latter are using a trick candle bit belonging to the plaintiffs. The plaintiffs originally complained some months ago against Barnes and Burner for lifting this bit, but the matter never reached a head because the defendants declared they were going out of business. But Barnes now has a new act and, it is alleged, is using this same bit.

GUS KAHN RESIGNS

SPRINGFIELD, Mass., Dec. 9.—Gus Kahn resigned as manager of the "Oh Frenchy" company here to-day. Frank McAleen, last season manager of the "Maids of America" is the new manager.

MARRY NEXT TUESDAY

At the Little Church Around the Corner in New York next Tuesday morning, Harry O'Neal and Loretta Ahearn will be married. O'Neal is "straight" man of the "Bon Tons", which will be at the Empire, Brooklyn, next week, while Miss Ahearn, soubrette of the "Million Dollar Dolls" will be playing at the Columbia in New York.

MOSS GETS SIX-DAY RIDERS

Some of the principal riders, including Eddie Madden, one of the winners, in the six-day bicycle race at Madison Square Garden last week, will open on Thursday of this week at B. S. Moss' Jefferson Theatre. Those featured in the act besides Madden are Jack Eaton and Harry Kaiser.

The act is booked over the entire Moss circuit, the booking having been arranged personally personally by M. D. Simmons, general manager of the B. S. Moss Circuit. That Alfred Goulett, the Frenchman, who was teamed with Madden, is not member of the present act, is due to his having sailed for France early this week to fulfill riding engagements previously contracted for.

"PICADILLY JIM" HAS A CHANCE

ATLANTIC CITY, N. J., Dec. 8.—Stuart Walker to-night presented "Picadilly Jim," a comedy based on the Saturday Evening Post yarns of P. G. Wodehouse and set to dramatic movement by Guy Bolton. The latter has failed somewhat, for "Picadilly Jim" caught the fancy of its audience chiefly by wittiness of line. The piece has the fabric of "Clarence" but not the underlying soundness of character which marks the Tarkington play. Comedy did not rise from the people in the story, but from the lines, which, of course, signifies smart writing but not necessarily smart playmaking.

From the dramatic viewpoint "Picadilly Jim" needs considerable attention, particularly so at its climax, where the far spread strands of the story are, at present, gathered rather hastily and slip shoddy together, culminating in a noticeably disappointing finish, wherein, one by one, the characters are dismissed from the stage in such fashion that the auditor feels the presence of a shot of dramatic coercion.

The character of "Picadilly Jim" is a unique one, given to bright crisp conversations, but with a stolidity of face that is kept for every occasion.

After returning home after an evening in London, "Picadilly Jim" finds himself wheeling a baby carriage filled with a real baby. Suddenly realizing the handicap he is to his parents, he breaks for America. This, in the nature of a prologue. Thereafter, the action takes place in the bosom, as it were, of a Morristown, N. J., family, with a complication which adds some high explosives. But the story is slender. Though the usually neat writing and the unquestioned wit of line certainly charms the audience.

Plus a little clinical work, "Picadilly Jim" looks like a healthy contender for Broadway honors.

"FRIVOLITIES" OPENS AGAIN

BOSTON, Mass., Dec. 8.—A couple of years ago, G. M. Anderson, known to thousands of movie fans as "Broncho Billy" fell from his horse. He saw a myriad of stars, but every one he saw and a few not in the firmament at that time are in his re-arranged production of "Frivolities of 1919" which opened at the Boston Opera House to-night.

The show travels at airplane speed. It is like whirling between two lines of beautiful girls, glad in gorgeous costumes, who sing real melodies while comedians jest in passing. It has no plot to hold attention, but it has music which is real, girls who are beautifully revealing and humor which, though subtle and open to various interpretations, is on the whole, unblushingly funny.

Dainty Nan Halperin, Henry Lewis, The Barr Twins, Dolly Best, John Dale, Sarah and Nellie Kouns are only a few of the names which stand out.

Frank Davis produces more than half of the fun. Joe Rolly, Glenn and Jenkins, the last three being black face comedians who do not try to imitate Al Jolson, but who stick to their own fun, furnish about all the rest.

The acts, or rather, the "Frivols" as it is programmed, follow each other with such rapidity that if any plot had been thoughtlessly provided, it would have been lost in the shuffle of brilliant costumes and dazzling changes.

The costumes are worthy of mention. Apparently much money was spent on them. Some are more than spectacular. One set of bathing girls clad in white tights and the spotlight, are paraded for inspection. However, before there is time to regain your breath they plunge into the surf, a moving picture device which is realistic and one of the best features of the show.

The excuse for the play is presented in a prologue. A man is seen bemoan-

ing the passing of liquor. Satan appears and laughs.

"Wine, Women, and Song," says Satan reminiscently "we still have women and song left. Women who thrill, women who intoxicate and women who make a man's brain reel. We should worry—on with life."

That is the kind of a show it is, for, save the negro comedians, who derive jazz from a harmonica and dance to their own music, and the dances by Nip and O'Brien, who combine acrobatics and jazz, the whole three hours is devoted to women and music.

The show went big with the house. If any fault were to be found it savors too much of the three ring circus, in that there is so much one would enjoy that he simply can't because it goes at such a swift pace.

One would have to see the show several times to fully appreciate its superabundance of good things.

FINED FOR TAKING PLAYS

LONDON, Eng., Dec. 6.—Four men have been fined by the Justice of New Ross Quarter Sessions for infringement of copyright, the fine in each case being \$100, a fine of \$50 being levied for each play pirated. The defendants were John J. O'Brien, of Foulksmills, James Monahan, of Slevoy, William Mullins, Garrinrichard, and Patrick Fitzharris, of Foulksmills. The plays involved were "Uncle Pat" and "Oh Lawsey Me," and in each case the names of the plays were changed.

HOWE DID \$8,500

PITTSBURGH, Pa., Dec. 5.—The Sam Howe Show put the biggest weeks business of the season over at the Gayety last week. It did almost \$8500 in six days.

HAYES HITS HIGH SPOT

CHICAGO, Ill., Dec. 4.—The Edmond Hayes Show broke all records of the Englewood Theatre here last week, doing \$6082 on the week.



LUCILLE FIELDS

Singing Anatol Freidland's

"WANDERING"

With

"MUSICLAND"

B. F. Keith's Bushwick, Dec. 8th

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DANCER SUES HOTEL

Vanda Hoff, a dancer from Los Angeles, California, who has been engaged by Flo Ziegfeld for one of his shows, is suing the Great Northern Hotel for \$800, the value of a fur coat which, she says, was stolen from her room in the Hotel while she was away. The case was brought up on the 5th, but, upon application by the defendant, it was postponed until the twelfth. Robert C. Moore represents Miss Hoff.

EQUITY AIDES QUIT

Claude Archer and Lee Robinson, the former for several months past in charge of the booking department of Chorus Equity and the latter having acted for some time as assistant to Paul Gilmore, secretary of the Actors' Equity Association, have resigned. Both, with Gene Devereaux as a third member, have a sketch which they will put into vaudeville, opening within the next two weeks. "You'd Be Surprised" is the title.

STAGING REISENWEBER SHOW

Jean Bedini has been engaged to stage the new Reisenweber cabaret show. He has begun casting for the review and Mary Maxfield, the Clair Twins, accordion players, and Reddington and Grant have been signed, so far. Special music for both solo and ensemble numbers will be a feature, with two new composers, both from California, named. They are Jack Myers and I. Kornblum.

After he has the Reisenweber review going, Bedini will begin casting for a new musical production which will be ready early in the new year. Its title will be "Sweet Sylvia," and negotiations are now under way with several musical comedy stars to play the name part.

TYLER SIGNS MAY IRWIN

George C. Tyler last Monday placed May Irwin under contract, and, after the first of the year, will present her as star of "On the Hiring Line." Harriett Ford and Harvey O'Higgins, the authors, will rewrite the former Laura Hope Crews role, broadening it out into farce to suit Miss Irwin's style and it will then be sent on the road, with Chicago probably the first stop. Except for a few changes in minor roles and that of Miss Crews, the cast will remain the same as that which played the piece at the Criterion.

Washington Fire Marshall Stops Show To Enforce Law

**Halts "Passing Show of 1919" Because Certain Scenery Hangings
Had Not Been Fire-proofed—Trouble
Expected Elsewhere Also**

WASHINGTON, Dec. 7.—With the audience seated and curtain time fifteen minutes overdue, the management of "The Passing Show of 1919," scheduled to begin a week's run at Poli's, here-tonight, was forced to cancel the show because the District of Columbia fire authorities would not permit the performance to be given until certain hangings used in the production had been properly fire-proofed. The theatre was crowded to capacity when the announcement was made, but the management immediately began to refund ticket money at the box office. Over 4,000 were in the house at the time and indignation was intense.

The "Passing Show" company had used a special train from Cleveland to Washington in order to arrive in time for to-night's show. The company was transported on the last special train permitted by the railroad administration before putting into effect its drastic cut in train schedules due to the coal shortage.

The action of the District fire mar-

REISENFELD CONDUCTS HIS SHOW
BOSTON, Dec. 6.—Hugo Reisenfeld, managing and musical director of the Rivoli and Rialto Theatres, in New York, is coming here to conduct the opening performance of "Betty Be Good," for which he wrote the score. The play opens at the Wilbur Theatre Monday night.

THREE SHOWS LEAVING PHILLY
PHILADELPHIA, Dec. 8.—Three plays are getting ready to leave here within the next two weeks. "A Prince There Was," with Grant Mitchell, will leave the Garrick on Saturday night to make way for Frances Starr in "Tiger, Tiger," which opens there Monday, Dec. 15.

"The Canary," with Julia Sanderson and Joseph Cawthorne, starts its last two weeks at the Forrest Theatre today, and "Daddies" also will leave a week from the coming Saturday, vacating the Broad.

AGENCIES PLAN COMBINE

(Continued from Page 3)
necessity for the widespread subagencies now maintained by the larger brokers at big expense. Ultimately there would be established a great general headquarters where tickets would be sold directly at a fixed excess charge of not more than 50 cents above the box office price. The saving from conducting the business in the manner outlined, would be enough to pay a substantial dividend on the capitalization, it was stated. Then, too, the temptation to charge more for tickets would probably be removed, for the business would be established on a first come, first served, basis.

LeBlanc stated that he would also merge his cut-rate business in the new combine if his plan would be adopted by the other brokers.

It is estimated that the twenty leading brokers throughout the city sell upwards of 2,000,000 tickets each year. This would make the gross business done by them amount to approximately \$6,000,000. Figuring ten per cent as approximate net return on the total gross means that upwards of \$600,000 in profits each year is divided among these twenty brokers, making the yearly average for each one \$30,000.

shall follows a meeting recently held in Washington at which the fire regulations of the District were outlined to local managers, who were then warned that the regulations would be strictly enforced in the future.

Recently, a similar warning, calling attention to fire proof regulations, was issued by George W. Elliott, district fire marshall at Philadelphia. A new Pennsylvania law makes it a violation to permit the use of stage scenery, curtains or decorations, made of combustible material. All material must be thoroughly saturated with a non-combustible compound before it can be used. Allowance, however, is made for silks, velvets or heavy brocades, where fireproofing would injure the fabrics. The warning was issued early in November, and it was announced that, after December 1st, the law would be enforced to the letter.

Failure of theatrical managers to comply with the Pennsylvania law will probably result in action similar to that taken with the "Passing Show" in Washington.

JORDAN BUYS PROPERTY

Walter Jordan, of Sanger and Jordan, last week acquired a plot of property at 208 to 216 West Forty-first Street, but it will not be used as a theatre site. However, it is probable that a tall loft building will be erected on the premises, either by Jordan himself or by a company which is negotiating to take over the property from him, at a profit of \$80,000.

The plot measures 111x98.9 feet and formerly was the site of the Indoor Tennis Club. It faces the rear of the New Amsterdam Theatre. The property was acquired at a price said to be \$338,000.

CARROLL AND ATTERRIDGE SETTLE

The suit brought in the City Court by the LeMaire-Hyman producing corporation, against Harold Atttridge and Harry Carroll, was settled last week, the amount paid being \$1,200.

The action was brought to recover the sum of \$2,000. In the complaint, filed by Samuel W. Tannenbaum, attorney for the LeMaire-Hyman corporation, it was alleged that the money was paid to Atttridge and Carroll as advance payment for a musical show they were to write and deliver to the corporation. The show was to be called "What Could Be Sweeter?" and the LeMaire-Hyman corporation was to have produced it shortly after it was written.

However, it is alleged that the authors accepted the \$2,000 in advance, but failed to deliver the finished script. The reason they did not want to turn over the script, it is said, is because they wanted Joe Weber to be in on the producing end of it. And when the corporation that had engaged the authors to write the play could not come to terms with Weber about producing it jointly, Atttridge and Carroll held on to the script.

In their answer, filed through Thomas F. McMahon, Atttridge and Carroll denied all of the plaintiff's allegations.

"FOOL" CLOSING IN BOSTON

BOSTON, Dec. 6.—John Golden's comedy "Three Wise Fools" will start its last two weeks in this city on Monday. The play will close at the Tremont Theatre, December 20th.

AMATEURS MAKING MONEY

That the present theatrical season is proving a lucrative one for plays produced by others besides the so-called "commercial" managers was evidenced last week. The Provincetown Players, who are holding forth in a converted stable at 133 MacDougal Street, divided a surplus above their expenses which amounted to \$30 for each player.

The Provincetown Players originally began their dramatic activities about seven years ago in a wharf theatre at Provincetown, Mass. There, a group of artists and dramatic writers headed by Susan Glaspell, Eugene O'Neill and Wilbur Steel, contributed their collective efforts to the presentation of groups of plays and playlets. In 1915 they came to New York and leased premises a few doors away from their present quarters, which they converted into a playhouse having a seating capacity of 125. Last year they leased and converted their present quarters, which seat 139 people.

This organization requires no license from the city to conduct its playhouse, for their activities are conducted under a charter issued to them as a dramatic society. As such, they are not permitted to sell tickets at the box-office, their patronage being derived and limited to the membership of the society. The present membership totals upwards of 1000, each member paying five dollars a year. Membership entitles the subscriber to witness a performance of each group of plays presented during the season.

During the season, which is over a period of forty-five weeks each year, the Provincetown players present plays during two consecutive weeks out of every five, rehearsing for the next two weeks' presentation in the meantime. Thus far they have produced approximately 100 plays, including several three-act ones, since they first came to New York.

None of the players receives any salary; but surplus moneys are divided among them. The only ones who do receive a weekly stipend are James Light, who devotes all his time to the presentation of plays and who not only stages and helps design settings for the plays but also acts in them; a clerk who handles the books and one general utility player whose tasks are of varied nature.

"FIFTY-FIFTY" NEARLY READY

"Fifty-Fifty," which closed recently at the Comedy Theatre, is, after being worked over by Harry Carroll in such shape, it is said, that it meets the approval of James Fallen, head of the Tyson Ticket Company, its reported backer, and will open at Wilkesbarre on December 29. After that, it will play a string of one nights and then go into Detroit, Cleveland, Columbus and Chicago, where it will stay for a run.

VILLAGE "FOLLIES" CAST CHANGE

Dolly Connelly withdrew from the cast of the Greenwich Village Follies last Monday. Dale and Birch have been added to do their riding specialty, and Paul E. Burns also is a new addition, with a special part to be written in for him.

Miss Connelly, it is understood, will take up a route in vaudeville, appearing with her husband, Percy Wenrich.

CORT HAS NEW ONE

John Cort has acquired a new musical play called "The Three Wishes" which is scheduled to go into rehearsal the first week in February. The book and lyrics were written by Irwin Cortland, Harry Cort and George Stoddard, and Otto Motzan has composed the score.

ORGANIST CAN'T GET SALARY

SAN FRANCISCO, Dec. 5.—Edwin Lemare, the organist who plays at the Civic Auditorium, is having trouble with the city treasurer in getting his salary and is at present playing without getting any pay whatsoever. Lemare has been arguing with the city about the amount of his salary for some time, and this week, John McDougald, the city treasurer, said that he would not give Lemare any money until authorized to do so by the Board of Supervisors.

Lemare has been paid \$2,075 for his services since June. The original understanding was that he was to receive \$7,500 a year, although the organist wanted \$10,000. This was refused by the Mayor. In the meantime, because a proper contract was not made, Lemare's demands have been held up. The climax came with the treasurer's announcement that he would not pay Lemare any more money. The Board of Supervisors will take up the matter this week.

TAB DOING BIG BUSINESS

Coutts and Tennis have received a total of \$5,896 as their end of the gross business done by their road tab, "When Dreams Come True" during the last three weeks. This means that the act did a weekly average of \$1,965.33. The producers have booked the act in regular split week picture houses up state. In some towns it played, with a feature picture opposition to the regular vaudeville house on a 60-40 percentage basis.

The act opened in Newburgh four weeks ago and played to a total of \$1,600 for three days. The same length of time in Perth Amboy drew \$1,100. Then the act went to Dover for three days, where it played to \$1,350, the last half being spent in Port Jervis, where it garnered \$1,575. The first half of the third week was spent in Middletown, where the act took in \$2,700, finishing the week in Amsterdam to \$1,503. Thus, it played to a total gross, for three weeks, of \$9,828, very good business at prices that never scaled beyond fifty cents top. The act cost its producers approximately \$10,000. There are nineteen people and its average weekly running expenses, including salaries, do not exceed \$1,200.

WON'T PAY FOR FIREMAN

PROVIDENCE, R. I., Dec. 6.—Whether the law providing that the proprietor of a theatre in this city must pay \$3 a day to a person employed by him and stationed in the theatre to guard against fire, is constitutional or not, was argued in the Supreme Court here this week in the case of Deputy Chief of Police William F. O'Neil against the Providence Amusement Company.

O'Neil complained that the amusement company failed to pay \$3 a day to Robert S. Gallagher, who was employed by the defendant and approved by the Board of Fire Commissioners.

Gallagher has been employed at the Bijou Theatre for two years and was still employed there at \$2 a day. The Providence Amusement Company was found guilty on that charge, but sentence was stayed after the hearing in the Sixth District Court and the case carried to the Supreme Court on question raised on the motion to dismiss the complaint on the grounds that the law is unconstitutional.

The Supreme Court is considering the case and reserving decision.

DAVE VINE'S SALARY ATTACHED

The salary of Dave Vine, of Vine and Temple, was attached in St. Louis last week by the Harry Saks Hechheimer office, to satisfy a claim made against him by a man named Moses from whom he sub-let an apartment last summer.

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Henry Miller's new play, "The Famous Mrs. Faye," in which Blanche Bates will co-star with Miller, will follow "Moonlight and Honeysuckle," with Ruth Chatterton into the Henry Miller Theatre.

"The Famous Mrs. Faye" will have its premiere on Dec. 15, in Atlantic City. "Moonlight and Honeysuckle" will leave the Henry Miller on the 22nd.

DANCER SUES HOTEL

Vanda Hoff, a dancer from Los Angeles, California, who has been engaged by Flo Ziegfeld for one of his shows, is suing the Great Northern Hotel for \$800, the value of a fur coat which, she says, was stolen from her room in the Hotel while she was away. The case was brought up on the 5th, but, upon application by the defendant, it was postponed until the twelfth. Robert C. Moore represents Miss Hoff.

EQUITY AIDES QUIT

Claude Archer and Lee Robinson, the former for several months past in charge of the booking department of Chorus Equity and the latter having acted for some time as assistant to Paul Gilmore, secretary of the Actors' Equity Association, have resigned. Both, with Gene Devereaux as a third member, have a sketch which they will put into vaudeville, opening within the next two weeks. "You'd Be Surprised" is the title.

STAGING REISENWEBER SHOW

Jean Bedini has been engaged to stage the new Reisenweber cabaret show. He has begun casting for the review and Mary Maxfield, the Clair Twins, accordion players, and Reddington and Grant have been signed, so far. Special music for both solo and ensemble numbers will be a feature, with two new composers, both from California, named. They are Jack Myers and I. Kornblum.

After he has the Reisenweber review going, Bedini will begin casting for a new musical production which will be ready early in the new year. Its title will be "Sweet Sylvia," and negotiations are now under way with several musical comedy stars to play the name part.

TYLER SIGNS MAY IRWIN

George C. Tyler last Monday placed May Irwin under contract, and, after the first of the year, will present her as star of "On the Hiring Line." Harriett Ford and Harvey O'Higgins, the authors, will rewrite the former Laura Hope Crews role, broadening it out into farce to suit Miss Irwin's style and it will then be sent on the road, with Chicago probably the first stop. Except for a few changes in minor roles and that of Miss Crews, the cast will remain the same as that which played the piece at the Criterion.

Washington Fire Marshall Stops Show To Enforce Law

**Halts "Passing Show of 1919" Because Certain Scenery Hangings
Had Not Been Fire-proofed—Trouble
Expected Elsewhere Also**

WASHINGTON, Dec. 7.—With the audience seated and curtain time fifteen minutes overdue, the management of "The Passing Show of 1919," scheduled to begin a week's run at Poli's, here-tonight, was forced to cancel the show because the District of Columbia fire authorities would not permit the performance to be given until certain hangings used in the production had been properly fire-proofed. The theatre was crowded to capacity when the announcement was made, but the management immediately began to refund ticket money at the box office. Over 4,000 were in the house at the time and indignation was intense.

The "Passing Show" company had used a special train from Cleveland to Washington in order to arrive in time for to-night's show. The company was transported on the last special train permitted by the railroad administration before putting into effect its drastic cut in train schedules due to the coal shortage.

The action of the District fire mar-

shall follows a meeting recently held in Washington at which the fire regulations of the District were outlined to local managers, who were then warned that the regulations would be strictly enforced in the future.

Recently, a similar warning, calling attention to fire proof regulations, was issued by George W. Elliott, district fire marshall at Philadelphia. A new Pennsylvania law makes it a violation to permit the use of stage scenery, curtains or decorations, made of combustible material. All material must be thoroughly saturated with a non-combustible compound before it can be used. Allowance, however, is made for silks, velvets or heavy brocades, where fireproofing would injure the fabrics. The warning was issued early in November, and it was announced that, after December 1st, the law would be enforced to the letter.

Failure of theatrical managers to comply with the Pennsylvania law will probably result in action similar to that taken with the "Passing Show" in Washington.

REISENFELD CONDUCTS HIS SHOW

BOSTON, Dec. 6.—Hugo Reisenfeld, managing and musical director of the Rivoli and Rialto Theatres, in New York, is coming here to conduct the opening performance of "Betty Be Good," for which he wrote the score. The play opens at the Wilbur Theatre Monday night.

THREE SHOWS LEAVING PHILLY

PHILADELPHIA, Dec. 8.—Three plays are getting ready to leave here within the next two weeks. "A Prince There Was," with Grant Mitchell, will leave the Garrick on Saturday night to make way for Frances Starr in "Tiger, Tiger," which opens there Monday, Dec. 15.

"The Canary," with Julia Sanderson and Joseph Cawthorne, starts its last two weeks at the Forrest Theatre today, and "Daddies" also will leave a week from the coming Saturday, vacating the Broad.

AGENCIES PLAN COMBINE

(Continued from Page 3)
necessity for the widespread subagencies now maintained by the larger brokers at big expense. Ultimately there would be established a great general headquarters where tickets would be sold directly at a fixed excess charge of not more than 50 cents above the box office price. The saving from conducting the business in the manner outlined, would be enough to pay a substantial dividend on the capitalization, it was stated. Then, too, the temptation to charge more for tickets would probably be removed, for the business would be established on a first come, first served, basis.

LeBlanc stated that he would also merge his cut-rate business in the new combine if his plan would be adopted by the other brokers.

It is estimated that the twenty leading brokers throughout the city sell upwards of 2,000,000 tickets each year. This would make the gross business done by them amount to approximately \$6,000,000. Figuring ten per cent as approximate net return on the total gross means that upwards of \$600,000 in profits each year is divided among these twenty brokers, making the yearly average for each one \$30,000.

JORDAN BUYS PROPERTY

Walter Jordan, of Sanger and Jordan, last week acquired a plot of property at 208 to 216 West Forty-first Street, but it will not be used as a theatre site. However, it is probable that a tall loft building will be erected on the premises, either by Jordan himself or by a company which is negotiating to take over the property from him, at a profit of \$80,000.

The plot measures 111x98.9 feet and formerly was the site of the Indoor Tennis Club. It faces the rear of the New Amsterdam Theatre. The property was acquired at a price said to be \$338,000.

CARROLL AND ATTERIDGE SETTLE

The suit brought in the City Court by the LeMaire-Hyman producing corporation, against Harold Atteridge and Harry Carroll, was settled last week, the amount paid being \$1,200.

The action was brought to recover the sum of \$2,000. In the complaint, filed by Samuel W. Tannenbaum, attorney for the LeMaire-Hyman corporation, it was alleged that the money was paid to Atteridge and Carroll as advance payment for a musical show they were to write and deliver to the corporation. The show was to be called "What Could Be Sweeter?" and the LeMaire-Hyman corporation was to have produced it shortly after it was written.

However, it is alleged that the authors accepted the \$2,000 in advance, but failed to deliver the finished script. The reason they did not want to turn over the script, it is said, is because they wanted Joe Weber to be in on the producing end of it. And when the corporation that had engaged the authors to write the play could not come to terms with Weber about producing it jointly, Atteridge and Carroll held on to the script.

In their answer, filed through Thomas F. McMahon, Atteridge and Carroll denied all of the plaintiff's allegations.

"FOOL" CLOSING IN BOSTON

BOSTON, Dec. 6.—John Golden's comedy "Three Wise Fools" will start its last two weeks in this city on Monday. The play will close at the Tremont Theatre, December 20th.

AMATEURS MAKING MONEY

That the present theatrical season is proving a lucrative one for plays produced by others besides the so-called "commercial" managers was evidenced last week. The Provincetown Players, who are holding forth in a converted stable at 133 MacDougal Street, divided a surplus above their expenses which amounted to \$30 for each player.

The Provincetown Players originally began their dramatic activities about seven years ago in a wharf theatre at Provincetown, Mass. There, a group of artists and dramatic writers headed by Susan Glaspell, Eugene O'Neill and Wilbur Steel, contributed their collective efforts to the presentation of groups of plays and playlets. In 1915 they came to New York and leased premises a few doors away from their present quarters, which they converted into a playhouse having a seating capacity of 125. Last year they leased and converted their present quarters, which seat 139 people.

This organization requires no license from the city to conduct its playhouse, for their activities are conducted under a charter issued to them as a dramatic society. As such, they are not permitted to sell tickets at the box-office, their patronage being derived and limited to the membership of the society. The present membership totals upwards of 1,000, each member paying five dollars a year. Membership entitles the subscriber to witness a performance of each group of plays presented during the season.

During the season, which is over a period of forty-five weeks each year, the Provincetown players present plays during two consecutive weeks out of every five, rehearsing for the next two weeks' presentation in the meantime. Thus far they have produced approximately 100 plays, including several three-act ones, since they first came to New York.

None of the players receives any salary; but surplus moneys are divided among them. The only ones who do receive a weekly stipend are James Light, who devotes all his time to the presentation of plays and who not only stages and helps design settings for the plays but also acts in them; a clerk who handles the books and one general utility player whose tasks are of varied nature.

"FIFTY-FIFTY" NEARLY READY

"Fifty-Fifty," which closed recently at the Comedy Theatre, is, after being worked over by Harry Carroll in such shape, it is said, that it meets the approval of James Fallen, head of the Tyson Ticket Company, its reported backer, and will open at Wilkesbarre on December 29. After that, it will play a string of one nighters and then go into Detroit, Cleveland, Columbus and Chicago, where it will stay for a run.

VILLAGE "FOLLIES" CAST CHANGE

Dolly Connelly withdrew from the cast of the Greenwich Village Follies last Monday. Dale and Birch have been added to do their riding specialty, and Paul E. Burns also is a new addition, with a special part to be written for him.

Miss Connelly, it is understood, will take up a route in vaudeville, appearing with her husband, Percy Wenrich.

CORT HAS NEW ONE

John Cort has acquired a new musical play called "The Three Wishes" which is scheduled to go into rehearsal the first week in February. The book and lyrics were written by Irwin Cottland, Harry Cort and George Stoddard, and Otto Motzan has composed the score.

ORGANIST CAN'T GET SALARY

SAN FRANCISCO, Dec. 5.—Edwin Lemare, the organist who plays at the Civic Auditorium, is having trouble with the city treasurer in getting his salary and is at present playing without getting any pay whatsoever. Lemare has been arguing with the city about the amount of his salary for some time, and this week, John McDougald, the city treasurer, said that he would not give Lemare any money until authorized to do so by the Board of Supervisors.

Lemare has been paid \$2,075 for his services since June. The original understanding was that he was to receive \$7,500 a year, although the organist wanted \$10,000. This was refused by the Mayor. In the meantime, because a proper contract was not made, Lemare's demands have been held up. The climax came with the treasurer's announcement that he would not pay Lemare any more money. The Board of Supervisors will take up the matter this week.

TAB DOING BIG BUSINESS

Coutts and Tennis have received a total of \$5,896 as their end of the gross business done by their road tab, "When Dreams Come True" during the last three weeks. This means that the act did a weekly average of \$1,965.33. The producers have booked the act in regular split week picture houses up state. In some towns it played, with a feature picture opposition to the regular vaudeville house on a 60-40 percentage basis.

The act opened in Newburgh four weeks ago and played to a total of \$1,600 for three days. The same length of time in Perth Amboy drew \$1,100. Then the act went to Dover for three days, where it played to \$1,350, the last half being spent in Port Jervis, where it garnered \$1,575. The first half of the third week was spent in Middletown, where the act took in \$2,700, finishing the week in Amsterdam to \$1,503. Thus, it played to a total gross, for three weeks, of \$9,828, very good business at prices that never scaled beyond fifty cents top. The act cost its producers approximately \$10,000. There are nineteen people and its average weekly running expenses, including salaries, do not exceed \$1,200.

WON'T PAY FOR FIREMAN

PROVIDENCE, R. I., Dec. 6.—Whether the law providing that the proprietor of a theatre in this city must pay \$3 a day to a person employed by him and stationed in the theatre to guard against fire, is constitutional or not, was argued in the Supreme Court here this week in the case of Deputy Chief of Police William F. O'Neill against the Providence Amusement Company.

O'Neill complained that the amusement company failed to pay \$3 a day to Robert S. Gallagher, who was employed by the defendant and approved by the Board of Fire Commissioners.

Gallagher has been employed at the Bijou Theatre for two years and was still employed there at \$2 a day. The Providence Amusement Company was found guilty on that charge, but sentence was stayed after the hearing in the Sixth District Court and the case carried to the Supreme Court on question raised on the motion to dismiss the complaint on the grounds that the law is unconstitutional.

The Supreme Court is considering the case and reserving decision.

DAVE VINE'S SALARY ATTACHED

The salary of Dave Vine, of Vine and Temple, was attached in St. Louis last week by the Harry Saks Hechheimer office, to satisfy a claim made against him by a man named Moses from whom he sub-let an apartment last summer.

VAUDEVILLE

ORPHEUM TO CONCENTRATE IN NEW YORK

WILL CHANGE JANUARY 1ST

When the Orpheum Circuit effects its reorganization on the first of the year, all of the executive offices now in Chicago and San Francisco will be shifted permanently to New York. The booking and law offices will be moved East from Chicago, and the real estate office will be transplanted from San Francisco to New York. In this way, all of the Orpheum activities will be centralized to handle the expanded circuit.

Martin Beck will continue to be the managing director of the circuit, but, with expansion of the circuit, his duties will necessarily increase.

George Gottlieb will continue to manage the booking activities with an increased personnel to assist him. Mort Singer will also move his offices here from Chicago and will aid in handling the affairs of the booking department.

It has not, as yet, been decided, whether or not Morris Meyerfeld will continue to make his headquarters in San Francisco or join the Orpheum forces in New York, although, with the shift of all Orpheum activities to the East, it appears as if Meyerfeld's services will be needed here.

The small circuits that are connected with the Orpheum under the new plans will each have a representative at the New York offices of the Circuit. The Finn and Heiman interests will transfer their headquarter to New York, when, on January 1st, they become a part of the Orpheum chain.

The publicity department will undergo a reorganization also. It is likely that the routine publicity work will be handled through John Pollack's office while special publicity is to be under the direction of Mark Leuscher, who was in the employ of Beck several years ago but severed his connections with the Orpheum following a disagreement. Since then Leuscher has been working for the Dillingham interests, particularly the Hippodrome.

Among the many scopes that the expanded Orpheum circuit will cover is the production field. Significance lies in the fact, that Beck is to become a producer again, and, according to a statement of Charles Feleky, production activities will not be confined to vaudeville but will extend to the legitimate, as well. A corporation, known as the Atlantic Play Exchange has been formed, with Martin Beck and Mort Singer named as incorporators. All productions will be handled through this corporation.

Feleky secured the rights to more than 100 European plays when he was recently abroad in behalf of the Circuit. Some of these will undoubtedly be used by the Atlantic Play Exchange.

With the increase in the Orpheum personnel and number of offices, the entire 10th floor of the Palace Theatre Building has been taken over by the Orpheum and the present tenants have been asked to vacate on or before the first of the year.

NEW ACTS

Seabury and Shaw are preparing a new dancing act in which Seabury will appear. The act will be billed as William Seabury and Company and was written by Billy Shaw and Buddie Cooper. Elsie La Mont, formerly of the Mosconi Brothers, the Hope Sisters, Lillian Stone, Sonia Marens, and Buddie Cooper will appear in it.

"I'm Thirsty" a musical farce, is now in rehearsal under the direction of Herman Becker and Charles Leonard, with a company of nine people featuring Charles Leonard, Irene Chellinger and Marion Stillman. It will open on Keith time on Dec. 15.

Ailsa Page, recently of the "Whose Your Friend?" company, is preparing a vaudeville act which will open shortly.

Cliff Robins, Gertie Joyce and Company, in a new act called "Three Times Sixteen", consisting of songs, dances and music, will open soon under the direction of Nat Nazzaro.

D. Volant will do a new act with his wife, written for them by James Madison.

Edith Helene and Her Cowboys, a new act that broke in at The Majestic Chicago last week, has been booked for a tour of the W. V. M. A. time, and the A. & H. time.

Page and Green, in a new singing, dancing, and comedy turn, are breaking in at the National the first half of this week, prior to a route over the Loew time. Joe Micheals is handling the act.

Panzer and Silver, a new act will begin a tour of the Loew time, by breaking in at the American, the last half of next week. Joe Meials is handling the affairs of this act.

"Whispering" Jones, a cowboy baritone, a discovery of Bert LaMont's is showing a new act at Red Bank, beginning the 11th of the month.

Babe Dunbar and Walter Booth in a new singing and dancing act are to open at Loew's Hoboken.

Percy Chapman and Hazel Joslyn, in a new scenic production called "The Tout" are to open in Union Hill.

Buford Armitage and Annabelle Vernon are having a new sketch written for them by Allen Spencer Tenney, in which they will be supported by a company.

Monte and Lynes will soon open in a new act on the Loew time written by Henry Marcus.

ENTER CHESS TOURNAMENT

The following members of the N. V. A. have handed in their names as contestants in the chess tournament scheduled to take place soon: N. D. Hurlbut, Anthony Andre, O. T. Fiske, Earle Ernay, H. A. Davids, Bill Marshall, John W. Cox, Edward Davis, Henry Chesterfield, A. C. Winn, Kenneth A. Hale, Richard Watson, Johnny Eckert, and Frank T. Hazard.

LARVETT SIGNS CARNIVALS

Jules Larvett has signed contracts to furnish four carnivals to open in Mahoney City, Pa., in April, and for an Indoor Carnival to open in Shenandoah, Pa., on April 12th.

MOSS BOOKS MERCEDES

Mercedes, the mystic pianist, has been booked on the Moss circuit and opened for a full week at the Jefferson on Monday. He will play a full week at the Hamilton next week and, beginning December 22, will appear at the Regent. Booked by Jack Linder.

NEW CINCINNATI HOUSE IS OPENED

STARTS WITH 3-A-DAY POLICY

CINCINNATI, O., Dec. 7.—Cincinnati's newest theatre, the Palace, opened here Saturday.

The program included Harry Ellis and Dave Erwin in a singing skit, Samson and Douglas in a comedy sketch the Tetsuri Troupe, Japanese wonder worker, Lord and Fuller, and the Hadji Samboli company in a comedy mystery offering called "The Haunted House". It was an excellent program and played twice to packed houses. A photoplay also was a feature of the bill.

The policy in the future will be continuous from 1.00 o'clock to 11.00. Three complete shows will be given daily, including Sunday. Prices range from 50c in the boxes and loges to 20c in the balcony. These figures include war-tax.

LESLIE BENEFIT NETS \$6405

The books of the Bert Leslie Benefit Fund were closed on Saturday and, after all expenses were paid, a balance of \$6405 remained. Of this \$1 474.77 was paid to lift a mortgage on the Leslie home and the balance remains in the bank and is to be paid to Mrs. Leslie in weekly installments. Joe Maxwell handed the entire affair.

SHUBERTS SIGN AL SHAYNE

Al Shayne, now appearing in vaudeville, has signed a three year contract with the Shuberts through his agents, Davidow and LeMaire. This concern has also effected a five year contract with the Shuberts for the vaudeville act known as Luba Meroff and Co.

MACK GOING INTO VAUDEVILLE

William B. Mack, who closed with "A Voice in the Dark" on Saturday night, is going into vaudeville in a playlet under the direction of Joe Maxwell.

MUST DROP BILLING

Sun Fong Lin must discontinue to bill his act as the "Imperial Pekinese Troupe," according to a decision of the National Vaudeville Artists' complaint bureau. The complaint was brought by Long Tack Sam, who claimed prior to the billing. Notwithstanding the decision, the defendant appealed to Long Tack Sam to allow him to continue to use the old billing, but Sam was insistent in the matter and threatened to once more bring the case to the attention of the N. V. A., if the infringement continued.

ELTINGE SHOW REORGANIZED

SAN FRANCISCO, Cal., Dec. 6.—Julian Eltinge, who sails from here on the 22nd, aboard "The Siberia" for a tour of Australia and the Orient, to be followed by a tour around the world, has reorganized his show and it now includes Le Beers, Winona Winters, The Littlejohns, Ford and Price, Kathleen Dewey, Cleo Gascoigne, Dewey and Rogers, Phyllis Gordon, The Misses Carville and Marionne, and a bevy of dancing girls.

SAYS SONG IS HIS

The team of McManus and McNulty will have to stop using a song entitled "I've Been on the Bum Ever Since", if Dave Thursby's complaint is looked favorably upon by the N. V. A. Thursby claims he has an exclusive right to use this song.

LOEW TEAM GOING STRONG

The Marcus Loew Basketball Team, which has defeated all the theatrical basketball teams and all the good amateur teams around here, has been forced to go after some professional teams for excitement and, accordingly, went out of town about two weeks ago and beat the Ansonia team up at Ansonia, Connecticut, by a score of 23-14. The team, which is composed of Alex Hanlon, Jack Hanlon, Moe Schenk, Abe Friedman and Al Schwartz, plays the Vand and Schenk team at Arcadia Hall, Brooklyn, on the 21st.

KITTY GORDON HAS SHOW

Kitty Gordon and Jack Wilson will play only four weeks in vaudeville, all of the time around New York and then will appear in a production. Its title will be "Lady Kitty, Inc.", the book by Edward Paulton and the music by Silvio Hein. Both Miss Gordon and Wilson recently closed after a rather disastrous tour as the stars of "Love for Sale", a Joe Gates production.

MAY WIRTH HAS ACT

May Wirth, premier bareback rider with the Ringling Bros., Barnum and Bailey Combined Shows, has taken up a route in vaudeville, opening at the Albee in Providence last Monday. She is using seven people, besides herself and five horses. Her route is without a break up to the middle of March.

DISPUTE OVER LEMON TRICK

A complaint to the N. V. A., recently launched against Frank Gordon, by Jarrow, is being fought hotly by Gordon who, in answering, states that the lemon trick which he is accused of "lifting" has been done by him for more than eleven years. He avers that the trick does not belong to Jarrow and states that a magician by the name of Walters claims to have originated it. He also denies that he is using any of Jarrow's patter, as was stated in the complaint. The complaint bureau has not come to any decision in the matter yet.

SCARED BY PTOMAINES

Because Eddie Richards thought he had an attack of ptomaine poisoning, Bennett and Richards were off of the Bushwick bill on Saturday evening and were replaced by Jean Chase and Company, recruited at the eleventh hour from the Halsey Theatre. They returned to the bill again for the two Sunday shows, however.

LITTLE BILLY SIGNED

Little Billy has been signed for a part in the new Oliver Morosco piece which went into rehearsal this week.

N. V. A.'S TO PLAY CHECKERS

Following pool, billiard and chess tournaments, the National Vaudeville Artists now announce a checker tournament which will start on December 15th. Among those who have already entered the arena are Anthony Andree, Claude Austin, R. H. Bertram, A. C. Winn and Charles L. McDonald.

VAUDEVILLE

PALACE

The pictures opened and were followed by the Mangean Troupe, consisting of seven people who presented a series of acrobatic stunts that were heartily applauded. A trick called "the tandem somersault" was a corker but would have got a bigger hand had it been employed for the finish.

McMahon & Diamond aided by Miss Rosevere proved number two spot is not necessarily bad, for they stopped the show. Diamond uncovered a few eccentric steps that were the signal for thunderous applause. Miss McMahon, as the "rag doll", was thrown about the stage by Diamond to the delight of all, and when she removed the head piece to prove that she was not a doll the house applauded. Miss Rosevere sang pleasingly and, all told, the act is a sure winner.

"The Little Cottage", presented by George Choos, is a good girl act and the male principals, Frank Sinclair and Cliff Dixon, held up the offering. Sinclair is a smart light comedian who delivers many old "gags" but manages to get results. Dixon, as the juvenile, sang well and read his lines excellently. The act sags in the middle when a shimmy number is done. Most of the girls appeared awkward while "shaking the shoulder". This is the only weak portion however. Miss Goldie Collins did well with her role, and the act was enjoyed.

Beatrice Herford offered three characterizations, namely, "In the Hat Department", "The Matinee Girl" and "The 10c Store". The last met with hearty applause and laughter.

Vie Quinn, billed as Broadway's latest "find", surely lived up to that billing. Frank Hale "found" her, and has surrounded her with Frank Farnum, George Kreer and the Memphis Five. Miss Quinn will undoubtedly be held over, for the act was nothing short of a sensation. With the loud playing of the Band's solo toned down, the offering would be perfect. Farnum is a dancer who can hold his own with the best and when it comes to comparing Miss Quinn with other "Jazz" dancers, she is "there" a mile ahead. Her beautiful figure lends entrancement to all she does. She proved that she is an artist in her line. The audience gave her and her assistants a flattering demonstration when the act was concluded.

"Topics of the Day" was flashed during intermission.

Blossom Seeley, always a favorite at the Palace, gained many new friends for she never worked better. Benny Fields is more than an assistant. His monologue and song scored a huge hit. Grossman sang well but should omit the last ballad, because it is old and slows up the act. Miss Seeley wore some beautiful gowns, and is possessed with much grace.

Williams and Wolfus are always a howl, but, at this performance, they were a riot. Every move of Williams brought forth merriment and the audience fairly rocked with laughter.

Bothwell Browne has spared nothing to make his act one of the most pretentious in vaudeville. Costly and elaborate costumes are constantly on view, and the music of the Browne Sisters was appreciated. The last scene, wherin Browne offers his "Dance of Jealousy" brought gasps of admiration from the female contingent. The act closed the show and held them in.

J. D.

VAUDEVILLE REVIEWS

(Continued on Page 10)

RIVERSIDE

Elmer El Cleve walked on and played a few selections on the xylophone, much to the delight and amusement of the audience, which seemed to like his acrobatic manner of putting things over to the extent of giving him two encores. He started the bill going fast.

Prosper and Murat were on second, and showed some new stunts in the way of strong arm work that scored a knockout. These boys have a routine of hand to hand stunts that are not only out of the ordinary, but actually exciting.

The Wilton Sisters have not changed their act one whit since the writer last saw them, with the exception of getting new frocks. They rendered their program of musical numbers and took some encores, bringing mama on for one of them. The girls got away very nicely.

James Thornton bills himself as the youngest of the oldtimers. We won't deny that, but we want to say that Thornton can make a lot of the new timers hustle. He is celebrating his fortieth year on the vaudeville stage with a bright and witty monologue that is bound to reach everyone's funny bone.

Florence Tempest and Company, consisting of George Harriss at the piano, and Alten and Allen, in song and dance, offered her "Tumble in Love". She scored a hit that was by no means a small one. Miss Tempest is a very likeable person, and the audience took to her immediately. Her act is a pleasing bit of business exceptionally well handled.

Following intermission and the "Topics of the Day", came Jack McClellan and May Carson in their specialty on roller skates entitled "Sarah". The act is a combination of difficult roller skating stunts and dancing, with some real clever comedy interspersed, although there are one or two remarks that could be done without. McClellan does the bulk of the difficult work and his stunts were greeted with deserved plaudits.

Frank Hurst, who for some time supported Jack Wilson, Lucille Cavanaugh, Bessie Clayton, and other stars, is now his lonesome and in his opening number explains to the audience the reason for this. Following this explanatory number he offered a straight singing act, with the exception of a few comedy lines that he injected between numbers to relieve the regular routine. Hurst possesses an abundance of personality to which is added a fair singing voice, ability to dress well, and a good appearance. He is assisted by Edgar Dean at the piano.

Pat Rooney and Marion Bent have an act that is the acme of entertainment. The act is a whole entertainment in itself, and, had they cared to, they could probably have made it into a three act show, put it on Broadway and sat and watched the dollars coming in. In it, they have the assistance of Mlle. Marquerite, already becoming famous as a dancer, Frank Gill, Vincent Lopez and his kings of Syncopation, Zella Rambeau, Lucille Love, and Lillian Fermoye.

Jean Duval and Company, presenting a series of artistic poses closed the entertainment and scored a hit that they fully earned. A good show, all in all.

S. .

COLONIAL

Roy Harrah and Jacqueline led off the bill with a skating offering that was appreciated.

Wish Wynne offered only two characterizations and then took an encore. She opened with the "servant-girl" bit, cleverly done and then offered a "school-girl" character which also went over for a big hit. For an encore she offered a comedy number which sent her off to much applause.

Those two "dark clouds", Bennett and Richards, received torrents of laughs. Their familiar opening never fails to get a big laugh at the start of the act and the patter is up to the high standard set by the opening. This pair can shake a mean pair of hoofs, and, as usual, they left the audience wanting more.

Miss Juliet was not the slightest handicapped by the big hit scored by the preceding act, and on her entrance, was greeted with applause. Her "one girl revue", is a winner. While her voice is not always true to the star she is imitating, the mannerisms never fail to convince, and that is where Miss Juliet tops any other act of her type.

After taking several encores, she was called back for more, and for a closer she offered her "Girl Behind The Counter" bit. She could easily have stayed on longer without getting the least boresome.

Imhof, Conn and Coreene were also greeted with applause. Hugh Conn, while programmed and billed, is not with the act, owing to illness. But Jerry Herzell, who is doing the "rube fireman" bit, gives a very pleasing performance. In fact, very few in the audience were aware that anyone new was in the cast. Miss Coreene also pleases. The audience were in convulsions all through the act, and, although it closed the first half, the trio took quite a few bows. In fact, the act shared honors with Jack Wilson for the laugh hit of the show.

The audience applauded the excellent manner in which Ben Roberts and his orchestra rendered their jazz selection during intermission and he could have taken a few bows himself.

In a spot further up on the bill, Rena Arnold and Jack Boyle would have given a much better account of themselves.

Kitty Gordon and Company found a big welcome and made the most of it. The Dancing Kennedys were programmed as part of this offering, but Lester Sheehan and Vera Beresford did the dance bits instead. Clarence Senna at the piano, a young man who plays the saxophone and clarinet, and another young man who sang in a very good voice from a box, made up the rest of the company. The act went over for a big hit. See New Acts.

Jack Wilson, assisted by George Burke in the first part of his act, and Kitty Gordon and Vera Beresford in most of it, also found a big welcome, with one of the best comedy acts in the business.

Cora Youngsblood Corson and her K. of C. Octette of girls, had a great many walkouts, owing mostly to the lateness of the hour. The instrumental offering is pleasing, and those who stayed showed their appreciation.

G. J. H.

ROYAL

The Three Blighty Girls opened the show. They offered bits of Scotch vaudeville, consisting of singing and dancing. The girls open with a trio number and their voices blend excellently. One of the girls does some very good tap dancing. Another dances a toe-Highland Fling, which is exceptionally well done. In the opening spot they took a number of bows and went off to good hand.

Jackie and Billy, two cockatoos, were brought up from the second half exchanging places with Dotson. A neatly attired woman, possessing an attractive appearance, put the birds through their routine. One of the birds did a number of stunts, which consisted of answering questions in arithmetic by ringing a bell. The other bird, however, is a rare specimen in vaudeville. It talks, sings, dances, and, in addition, imitates a dog barking, a cat meowing, a baby crying and other stunts as exceptional. The audience was highly entertained by the cockatoos' intelligence, and gave the act generous applause.

Homer Miles and Company offered a serio-comedy playlet called "The Rough-neck". Miles plays the part of the husband of a woman who dotes an etiquette and correct behaviour in public, and is ashamed of him because of his roughness. The man she points out as an example turns out finally to be a cad. The playlet, on the whole, pleases. But there are a few spots which are handled poorly and could be worked up to much better advantage. The work of all three lacks conviction.

Jimmy Fallon and Russ Brown stopped the show with their patter and singing. Brown was compelled to take an encore with his ballad, after singing one chorus. The boys have added some new gags, among them one about "Fairy Soap" which is rather shady, but the Royal audience didn't "get it".

Fallon's Bert Fitzgibbon imitation proved to be a riot. The boys are clever and handled their material excellently.

Mabel McCane and Company were a solid hit in closing the first half. Billy Taylor sang well, and the dancing of Tom Bryan and Lillian Broderick always pleases. Miss McCane was accorded a big hand with her "dream" number, and the jazz finish sent the act off with a punch.

Dotson is a favorite at this house, and, after taking two encores, stopped the show. This boy is one who sure can shake a mean pair of hoofs, and his "fit" bit gets one to wondering how his head stays on his shoulders.

Thomas Dugan and Babette Raymond, assisted by a man who takes the part of a butler, not billed, offered a pleasing comedy skit that went over very nicely.

A lot of the material has been done already, but most of it was new to this audience. The idea of an apple falling from a tree every time one tells a lie resembles the red and white star light idea in Harry Green's new act, now playing the Orpheum theatre. Dugan is a dandy comedian and is capably supported by Miss Raymond.

Bailey and Cowan, with Estelle Davis, scored the biggest hit of the show, and stopped it with a bigger bang than any of the preceding acts.

Monsieur and Madame Alf W. Loyal closed the show with an interesting act, which featured bicycle stunts and a very well trained dog. G. J. H.

VAUDEVILLE

PROCTOR'S 23rd ST.

(Last Half)

In opening the show, the Belle Sisters, in attire of an ultramodern cut, presenting some special and popular songs together with a well worked out routine of single and double stepping, scored a fair sized hand. One of the sisters particularly possesses an exceptionally pleasing voice which is augmented by a rather winsome personality.

Willie Smith, in second spot, got real chummy with the audience and walked off to the tune of a good sized hit. Smith has a good natural voice, in addition to a nearly perfect falsetto. However, a little "Dutch Cleanser" applied to his humorous material, would in no way detract from the entertainment value of his act.

George Felix and Company have a really funny playlet, although it is a trifle weak in dramatic construction. The strength of the offering is in Felix himself, the two feminine members of the company contributing little, if anything, toward its success. Felix, as a comedian, is seen to best advantage in pantomime and could add considerably to the value of his act if he had less lines to deliver.

The Lauder Brothers were next, presenting the conventional two man act. Eliminate the straight, who detracts more than he adds to the entertainment value of the turn, and the "hobo" would have a single equal to any on the variety stage. Perhaps they realize this, for the work of pulling the act through rests entirely on the tattered and worn shoulders of Mr. Hobo.

The Three Dolce Sisters and Company were next, presenting a rather pretentiously staged dance and song offering. The three sisters possess well modulated voices and, in part singing, give a credible performance.

Although attired in an ultra English-American uniform, George Austin Moore, did not rely upon the sentimental appeal of his tailor's creation, but offered a monologue and songs that proved to be a real treat.

Elsie Pilcer and Dudley Douglas, with well modulated stage settings, numerous changes in costume by the former, well rendered songs and a wealth of good clean humorous material, offer an act that may be termed a diversionary par excellence. Miss Pilcer is possessed of grace and a winsome personality and Douglas proves himself to be a comedian with legitimate ability as a laughmaker. However, the pianist is little better than mediocre.

E. H.

REGENT

(Last Half)

here during the last half, less uniformly, the individual and collective efforts to entertain failed to stir the audience to more than a semblance of enthusiasm. It may also be that the orchestra, whose playing was nothing short of rank, contributed in no small measure to the depression that the audience seemed to be suffering from.

Roberto, a juggler, who is assisted by a lady, juggled about everything on the stage except the lady. He juggled drinking glasses, balls of various sizes and finally his working table; and, while his act has definite entertainment value, it would have been a better one of its kind if he were more graceful.

Robinson, McCabe and Robinson, two men and a woman, cracked jokes, danced and sang. The extent of this trio's ability was appraised by the scanty applause that followed.

Morgan and Grey, appearing in a comedy playlet by Willard Mack entitled "Every Day in the Year," failed to inject any sort of pep into their roles. Had their acting been better they might have achieved something with the playlet.

The Four Harmony Kings, a colored quartette, were the hit of the bill. Their individual vocal ability is not great, but their act is so arranged that at least one of their collective numbers stands out in their favor. That one is the yodeling number. For the rest, they are just a quartette that looks better than it really is.

King and Allman have a musical act that has merit. One of the team plays the piano and the other, a rube character man, sang sweetly and strummed a banjo capably. If there were a little more spontaneity in the offering the team would probably have fared much better than it did.

Time was when Mello and Marlow did their "Columbia and Victoria" act under the name of Barton and Clark. But, at this house they seem to have elected to use the first name mentioned.

VAUDEVILLE REVIEWS

(Continued from page 9)

METROPOLITAN

(Last Half)

The Six Royal Hussars started the show, going strong with their music, into which they injected a lot of pep. They play instruments that vary from reed to brass and drums. There are also two vocal solos rendered between instrumental numbers. The act, a snappy one, put a lot of ginger into the show, and that made it necessary for the other acts to go at top speed.

Van and Vernon, man and woman, offered a comedy crossfire act that did not seem to appeal to the audience very strongly at first, but the man, seeing several opportunities for impromptu remarks, got the folks started and soon loosened them up. The act is rather clever and they try very hard to get it across.

Lowe, Evans and Stella were, if our recollection serves, at one time known as Lowe and The Sperling Sisters. In fact, the act is still using some of the bits from the old act. They offered a routine of songs and dances, that, while not extraordinary, are done cleverly enough to win applause. They went over nicely, declining an encore.

Jack Rose is billed as a special attraction at this house and from all appearances he was, for the audience took to him like a duck to water. Some smart alecks tried to kid him but he was equal to every occasion and walked off with a huge hit tucked under his arm after he had taken two encores and been forced to decline a third.

"Broadway Echoes" starts off like a minstrel act and finishes as an imitation school. The turn is a conglomeration of old and new gags, some clever songs, and some very good imitations, the latter including Sophie Tucker, Al Jolson, and Trentini. The fellow who acts as interlocutor showed a few eccentric dancing steps that are hard to beat. An Apache number was well done, although a trifle drawn out. No imitation act is complete now-a-days without an imitation of Frisco, and this act was no exception, although the imitation was a good one. All in all, the act is good entertainment and pleased immensely.

"The Girl from outside" was the feature picture. S. K.

HAMILTON

(Last Half)

Out of a bill of six acts, five contained singing and the other some classical dancing. More comedy would have improved the bill.

Alfred Farrell and Company, the latter consisting of a young woman, started the bill with their rag-picking novelty. Even this act contained some singing, which was done by the lady. The offering went well, for the stunt of painting pictures with various colored rags was evidently new to this audience and was done adeptly.

Hendricks and Stone in addition to possessing very good singing voices, shwoed that they are performers also. The man who takes the part of a "sousie," finding that most of the gags were "over the heads" of the audience, suddenly put an old gag into the routine, and, with it, got a big laugh. He added, in an undertone to his partner, "Gee, you've got to tell 'em old ones to get them." The pair can easily hold down a better spot on a better bill than was offered here.

Janet Martine is still using her billing of "Janet of France," and is also using most of her old gags and her same setting. But she has a new partner. She has put in a new routine of songs and delivers them nicely. The young man who is now assisting her at the piano is better than any of the ones she has had during the past year.

Fisher and Gilmore both sing well and handle their comedy to good effect.

Patterson and McAuliffe, two men, offered a routine of songs, with one of the men at the piano. Both sing well and deliver their numbers excellently. But they would do well to improve their wardrobe.

Cleveland Bronner, with his fantasy, "One Day," closed the show. While this act is primarily a spectacle, even here the audience were given singing, but it was of a different variety than the other acts had used. Ingrid Selsin offered some dancing and did it well. The act is finely costumed and had no difficulty in pleasing. G. J. H.

FIFTH AVENUE

(Last Half)

Thursday night's audience seemed a hard one to wake up unless an act had something new to present, and, as a result, La Temple, who opened the program with a familiar routine of box and disappearing tricks, went sluggishly.

After La Temple's two unencouraged bows, McCormick and Millon were hung up in the rack, and, by what seemed to be an unfortunate selection for an opening rather than an inability to perform, they went slow through the better part of their offering. To finish up, however, they did some team and solo dancing which got them away in their favor.

In a sketch called "A Drawing from Life," Arthur Sullivan and Ricca Scott finally got them into good humor. It is a well written, cleverly acted sketch. See New Acts.

Working in one, Helen Trix and Sister occupied the fourth spot. It is a two girl singing and dancing number, with Miss Trix at the piano and her sister standing. On the program, the sister is not named and this is not fair, inasmuch as she made the more favorable impression. Her name is Josephine.

Willie Zimmerman, not exactly a protean artist, but something in the nature of one, followed fifth. By the very nature of his act he is impressive, and, in addition, performs excellently, which assures him of success. See New Acts.

On after Zimmerman were Ford and Cunningham, man and woman, with the singing, the dancing and the antics of both of them gaining laughs constantly and arousing considerable applause. They worked like old timers, with good material, and were sure successes.

J. Rosamond Johnson, with his five assistants, though they were the first act composed of colored players seen at this house for some time, went over to the most consistent applause of the evening.

Clara Howard, working as a single, started her audience off with a chuckle and shortly had them in gales of laughter. She worked easily, in just the proper style and tempo, and the two encores she took were necessary to stop the applause.

With his Melody Maids first appearing in character, while he introduced them individually, Johnny Ford closed the show and held them in. M. F.

KEENEYS

(Last Half)

Frish and Briscott, popular songwriters, offered a singing act as an opener and scored a good sized hit. The boys are clever enough to get by without any patriotic appeal or other applause demanding songs, and they do so.

Margot Francois and Company, the latter being a clown, offered what turned out to be a novelty. The act, which ordinarily would be only a tumbling act, is lifted out of the rut by the girls' work on the stilts. This is not only novel, but hazardous as well, and the audience realized this, as was evinced by the applause.

Murphy and Klein offered their well known comedy and musical act, using their satchel sign boards with telling effect. They went over strong and had to take two encores.

"Every Sailor" has been let down somewhat, due to the illness of one of the principals, who plays the part of "Love." But, just the same, the act stopped the show. The folks out front couldn't seem to get enough of the "gob" females.

Following the weekly, came Alex Sparks and Company of two, one man and one woman, offering an animal impersonation act, "Kat Knapps," getting over for a good sized hit.

Murray and Allen replaced Morgan and Gates, billed for this spot. The boys offered a hodgepodge of comedy bits that went over like wildfire. For a finish, they offered their "razmataz" dance, which they did in the original "Razzle-Dazzle" show in London. This was the best thing in the act.

Marlette's Manikins, a very clever puppet act, closed the vaudeville portion of the show, winning applause and laughs galore. Several of the Manikins have been dressed to represent famous caricature figures, that were recognized and applauded by the audience.

Charles Ray in "Crooked Straight" was the feature picture. S. K.

HARLEM OPERA HOUSE

(Last Half)

Harvard, Holt and Kendrick, two men and a woman, gave the show a fast start with a novel bicycle-basketball act. The woman acts a referee while the men represent England and America respectively. They play a heated game, and, of course, America wins. The woman gains a number of laughs from her comedy. Some good goal shots were made and the act sustained interest. The turn is neatly dressed.

La Rose and Lane do a man-and-girl act in one before an artistic drop of their own. While the patter runs a little "blue" at times, it sounds original and is not without laughs. The several dresses that the woman wears during the course of the act are most becoming and add "class" to the offering. But the material in the act is not striking enough to make the act stand out from so many acts of a similar nature.

A play now-a-days must be boldly original from its very start to get the attention of a vaudeville audience. The least slowness in the action seems to encourage restlessness. Therefore, when "Convict 973," presented by William E. Hallman and Co., opened with the hackneyed business of a burglar prowling about a house, followed by a dry conversation between two members of the cast that was a poor attempt at exposition, we were not surprised by the number of noises unconsciously made by the audience. After a while, the crowd settled down when Hallman, as the ex-convict, did an especially good hit of acting, and at the end, the act came in for a fair share of applause. But the opening minutes almost spelled disaster for the act and the expository portion should be cut down to the fewest possible words.

The biggest applause on Thursday evening fell to Charles F. Semon who plays all sorts of freak musical instruments, with comedy interspersed. The act will always please the class of audience that patronizes the Harlem Opera House.

Jarvis and Harrison have a highly original act that has a good many laughs sprinkled through it. What is more, the man and girl both have pleasing personalities and their bearings and mannerisms give the act a high class touch. We would have liked to have seen more of the girl's face, however; we suspect she is pretty, but she did insist on hiding her face behind the rim of a large hat. The act sailed along smoothly but should have ended with the reconciliation bit and the exit of the man into the house. At this point, the pair had the audience entirely with them and could have closed snappily. But a song followed and that rather killed the finish. Elimination of the song is suggested.

The show was closed by Theodore Bekoff and Company. New Acts. H. J. G.

AUDUBON

(Last Half)

The S. R. O. sign was put in the lobby before eight o'clock on Friday evening. Every one of the 3300 seats in the theatre was occupied and standing room was used to capacity.

Hill and Ackerman, two men, followed the overture with a "hokum" and burlesque offering that went fairly well. The offering is mostly on the lines of the Collins and Hart act, with the acrobatic "hokum" being done by the aid of a wire. The "hoke" stuff, however, is done to an extreme and consequently loses in punch.

Mabel and Johnny Dove, working in black-face and tan, have added quite a few new gags to their offering. Miss Dove's singing went well, and Dove's tap dancing puts him easily in the ranks of the best of that type of dancers. In second spot, the pair cleaned up a big sized hit, and, after an encore, were called back until Johnny Dove delivered a short speech.

James B. Carson and Company, with their playlet, "To Be or Not To Be," written by Hugh Herbert and Ned Dandy, fortunately found an audience which consisted for the main part of Jewish folk to whom the offering is of particular appeal. The playlet is very clever, and, on the whole, handled very well by the trio. However, there are certain parts of the act which are overdone. Miss Jaffe, who is an ideal type for the role she portrays, would do well to tone down her work in the box. As a comedy sketch, the offering is exceptionally good.

Ralph Herz, recently of "Monte Cristo, Jr." offered a single that not only is a novelty, but is clever from start to finish. After taking an encore, I

Bert and Betty Wheeler, who arrived back from London only a few days before opening their engagement here, closed the show, and, in that spot, stopped the picture from going on.

VAUDEVILLE

IRENE FRANKLIN

THEATRE—Mt. Vernon.
STYLE—Singing Comedienne.
TIME—Twenty-Nine.
SETTING—Full Stage (Special).

Irene Franklin is now doing a single act, with the assistance of a pianist who was not billed when the act was reviewed. But the fact that Burton Green is not with her, will not make any difference to the average audience, for Miss Franklin's performance is one that will always please. The pianist in her new act also fills in between numbers with a few solos, all of which are well played. About the only difference between the pianist and Green is that the patter which was formerly carried on between Green and Miss Franklin, is not offered in the act.

In her opening song, Miss Franklin tells the audience that she will sing some new ones in the latter part of the offering. Following that came a number, "I'll Always Be Just Little Redhead To You". "The Waitress", "I'm Bringing Up a Family", the "Chambermaid" and "Redhead" songs were then offered in turn, and it seems that they will never lose their popularity from the reception accorded them.

The number which followed was done in costume and wig, and was the song about the little Hebrew girl who wants to give her teacher a Christmas gift but hasn't got the wherewithal. This one is also familiar and is, as yet, a gem of comedy and pathos.

A "Frenchie" number and a neat little dance closed the act. Everyone knows Miss Franklin's style and artistry. Her hair is still shown to good effect in the opening numbers and retains its color and luxuriance. Despite the length of the act, it will leave any audience wanting more. And, by the way, it is the only piano act in vaudeville that does not use a piano lamp, as Miss Franklin announced in a gag.

G. J. H.

BARTMAN AND SAXTON

THEATRE—Proctor's Mt. Vernon.
STYLE—Singing.
TIME—Fifteen Minutes.
SETTING—One.

Two very neat appearing men, who possess excellent voices, are offering a routine of songs delivered in a manner that should soon land them on the big time.

The open with "Pagliacci", and then break into a medley of popular numbers. A solo by the baritone follows and both then render a special arrangement of an oriental number. The tenor then offered a solo and the closed with a yodelling number, one of them playing a guitar accompaniment.

In addition to good appearance, personalities and voices, both men are good performers and showed it all through their act. In the second spot, they scored a hit of big dimensions and should find it an easy thing to repeat in other houses.

G. J. H.

THE MODEL MERMAIDS

THEATRE—Proctor's 125th St.
STYLE—Tank Act.
TIME—Fifteen Minutes.
SETTING—Full Stage (Special).

Five girls, one of whom acts as announcer, constitute this act. Four of them do swimming and diving stunts, and, in their routine, showed quite a few dives that are new. All possess a remarkable ability to stay under water for an exceedingly long time, showing that they have the right to bill themselves "mermaids".

The act can close any big time show and hold interest.

G. J. H.

NEW ACTS and REAPPEARANCES

WILLIE ZIMMERMAN

THEATRE—Proctor's 5th Ave.
STYLE—Protean.
TIME—Eighteen Minutes.
SETTING—Full (Special).

Willie Zimmermann is not a protean artist in the true sense of the word. His changes are quick and remarkable, but he does not keep secret from his audience how it is done. His act is entitled, "Moments at the Peace Conference," and his work is a representation of the mighty figure present to sign the Treaty of Versailles.

By appearing first in one, before a special drop, he announces what he will do, and then, on a full stage and before a large mirror in full view, he makes up for his parts. Impressiveness and reality is lent to the atmosphere by a long table set right to left across stage, at which six Louis Quinz chairs are placed.

Zimmermann gives representations of Clemenceau, von Muller, Wilson and Lloyd George, each as he signs the treaty, and the characterizations, aided by make-up, are breathlessly real.

A soldier of our own Civil War, however, is an anachronism and spoils the effect. An encore, in which General Pershing is represented, brought back the atmosphere of the World War, and the applause was tumultuous. M. F.

JARVIS AND HARRISON

THEATRE—Proctor's 23rd St.
STYLE—Man and Girl act.
TIME—21 Minutes.
SETTING—Two, Special.

Before a set representing a comfortable little cottage, with hedges, gates 'n everything Jarvis and Harrison are representing an excellent little comedy skit. A woman enters out of the cottage, masked and with gun in her hand. She halts the man.

Then the laughs begin to come and they keep coming right up to the finish. The talk, at first, concerns the hold-up and the reason for it, with the man taking the whole affair as a huge joke. Then off comes the mask, and he finds he is facing his wife. They start to quarrel. After a while, wifey begins to cry and tells of her sorrows. She is heartbroken because her father died and left her \$100,000 and a house. Hubby suddenly discovers that he really loves wifey and shows her how much, by moving into her house.

The act is brimful of witty cross fire, with some excellent bits of business added for good measure. They close with a very neat little love song and dance.

S. K.

GEORGE ROLLINS AND CO.

THEATRE—Proctor's 5th Ave.
STYLE—Comedy Sketch.
TIME—30 Minutes.
SETTING—Special.

George Rollins and Company are presenting a character sketch that is sure to be a laugh getter. Rollins plays the part of second assistant to a first assistant plumber. The woman is the owner of furnace that need fixing and the two men are called in to do the job. Rollins plays the part of the second assistant with an eye open for all comedy possibilities, and gets many a good laugh out of his character.

The lines in the act, most of them between the two men, are very clever and laugh provoking. Rollins' cockney accent is an asset of no mean value. The finish of the act, however, leaves

RALPH HERZ

THEATRE—Audubon.
STYLE—Monologue.
TIME—Twenty-five Minutes.
SETTING—One and Two.

Quite a few musical comedy stars have come into vaudeville of late, and, after a lot of publicity, have disappointed the average audience's expectations of what they were to receive. It was, therefore, a pleasure to see the act which Ralph Herz, late of "Monte Cristo, Jr.", has arranged for his vaudeville offering. It is one that will disappoint no one, for it possesses class and originality and is clever from start to finish.

Herz uses a black drop in one, and, for his opening bit, it is drawn aside, displaying a place drop in two. The stage is entirely darkened, with a baby spot on Herz' face, who, elevated on some structure, portrays the "Devil." In this opening number, he satirically tells of the various pests which exist on earth and tells the audience that he wonders where they go after death, for he does not admit them to Hell.

This number, as well as the entire act, is spoken in verse, in time to music.

The next bit is done in one, before the black drop. In this, Herz portrays a college professor of the future, delivering a lecture on the adornments of the barroom, before prohibition, such as cocktail shakers, bars, pretzels, "schooners," swinging doors, etc., and tells what the use of each was for.

A song came next, ending with a catchline "Certainly Not—No!" and was a riot of laughs at this house.

In his closing number, Herz was assisted by a very young girl, who posed in various colored baby-spots, while he, in another spot, delivered a dramatic recitation on women, showing how they are all a matter of light, each color representing the different women, as man sees her various moods. This bit is a classic, and, as a closing number, is sure-fire anywhere.

For an encore, he uses a restricted published number, which only four artists are now using. At this house, he stopped the show, after taking the encore, and can easily do so in most big time houses. The act is set very nicely, the material excellent and the deliverer an artist—what more can be desired?

G. J. H.

LAWRENCE AND NEWMAN

THEATRE—Proctor's 125th St.
STYLE—Singing.
TIME—Twelve Minutes.
SETTING—In One.

A neat appearing couple who possess pleasing personalities, but were a bit handicapped by nervousness when reviewed, make up the act. This, however, can easily be remedied in a very short time, for they were trying out the act here. They can improve their routine by getting later numbers than those used, and should then develop into a pleasing act for the three-a-day.

G. J. H.

THEODORE BEKEFI & CO.

THEATRE—Harlem Opera House.
STYLE—Dancing.
TIME—Fifteen Minutes.
SETTING—Special Cyclorama.

Here is an act that gets over more because of the way it is dressed and presented than by reason of the ability of its performers. By this we do not mean to infer that those in the act have no ability, for, as a matter of fact, they possess a considerable amount of talent. But the act is not unusual, and it is the "flash" quality that takes it away from the beaten track.

When the curtain rises, a quartette of cornetists lend color to the set, wearing quaint costumes of the Colonial type. They play while Bekefi and a girl partner do a Russian dance which is quite ordinary. Upon the exit of the dances, the cornetists play another number, after which another Russian dance is introduced. A solo dance by another girl is next. The dance is executed well and the girl's costume is worthy of special mention. The man then does a "gob" jig. The routine closes with a Dutch dance, featuring Bekefi and his two girl partners in typical Hollandaise costumes.

The dancing is passable, but at no time does it get much above that mark. It is the setting and music that will book this act. H. J. G.

BURKE, WALSH, DOUGHERTY

THEATRE—Proctor's 125th St.
STYLE—Comedy, Dancing.
TIME—Fifteen Minutes.
SETTING—One and Full Stage.

There is one trio act playing in vaudeville at present who bill themselves as a "Treat in Trios." Burke, Walsh and Dougherty could easily take that billing, and yet not claim too much, for they are far above the average trio in both originality and versatility.

The two male members, a postman and a messenger boy, start the offering in one, putting over some very good gags, dandy tap-dancing and excellent patter, which leads them to the set in full stage. The third member, an extremely pretty girl, is discovered there, costumed as a mail, in a short black frock, that stops a few inches—quite a few—above her knees. On the entrance of the two, patter ensues between the three. One of the young men plays the piano well, the other the harmonica in good jazz manner, both sing and all dance excellently.

The act does not lag for novelty or interest and should prove a winner.

G. J. H.

ROSE AND LA DUC

THEATRE—Proctor's 125th St.
STYLE—Talking, Singing, Dancing.
TIME—Fourteen Minutes.
SETTING—In One.

The lady member of this team started the act with a jazz number, and, at the close of this number the spotlight was flashed on the drummer, who gave an exhibition of jazz work on the drum. Some patter between the girl and the drummer, who is the other member of the act, led to a song, following which he came on stage and both went through a dance. The rest of the offering consisted of patter, which contained some fair gags, some good dancing, and a bit of singing.

Both are capable performers and handle their material well.

G. J. H.

FOREIGN NEWS

London Renews Plans For National Theatre Memorial

Construction of Shakespeare National Theatre Memorial Will Be Under Way Within Six Months According to Lord Earl Lytton Who Sponsors the Project

LONDON, England Dec. 7.—Plans for the erection of a Shakespeare Memorial National Theatre are again being pushed forward since Lord Earl Lytton has interested himself in the project and promises to see it through. He expects that construction will start within the next six months.

A site is now being sought for the building. It is estimated that the total cost of building, exclusive of the site, will exceed \$2,500,000. Donations are now being accepted, and, later, a more active money raising campaign will be inaugurated.

Already, the personnel for the theatre is being perfected. Lytton is running

a company which will form the nucleus of that body, and they are giving performances both for the purpose of raising funds and to train the public in the kind of drama that will be produced in the projected theatre.

The scheme for a national theatre was given birth in 1909, but delays and excessive expenses for the staff and other unneccesaries retarded the materializing of the theatre. With the outbreak of the war in 1914, plans were necessarily dropped. At the time that the theatre was first proposed, it had been planned to complete its erection by 1916.

2ND "JOY BELLS" A HIT

LONDON, Eng., Dec. 6.—The second edition of Albert De Courville's "Joy Bells," in which the only thing out of the old show is "The Bird Cage," is just as big a hit as was his first "Joy Bells."

Among the first features presented are a skit on "Prohibition," featuring George Robey, a farce entitled "Splash," in which George Robey and Shirley Kellogg appear; three variations upon the theme of "Apple Blossom Time," in the first of which the audience is shown how the idea would be treated by Oscar Asche, and introducing Rupert Hazell as a Nautch Girl and Fred Allendale as a burlesque of Oscar Asche in Chu Chin Chow, the second variation being a "Society Play," and the third a travesty of Grand Opera, with Mr. Robey as a wonderful tenor and Miss Kellogg as a marvellous soprano. Another new item is "An Interruption," and a spectacle "India" with Dewey Gibson as High Priest rendering a characteristic song; and Miss Kellogg as an Indian Prince. Others in the company are Phil Lester, Winnie Melville, and Netta Westcott.

OPERA HEARS ROOSEVELT KIN

PARIS, Dec. 6.—Hilda Roosevelt, cousin of the late Col. Roosevelt, made her debut at the Opera Comique this week in "Manon." Her performance was given high praise by the critics.

CRITIC CHALLENGED TO DUEL

PARIS, Dec. 6.—Because he gave an adverse criticism of Alphonse Frank's new show, Ernest Charles, noted dramatic critic, has been challenged to a duel by the former. Frank is director of the Theatre Gymnasse.

BILLY MERSON HAS NEW ACT

LONDON, Eng., Dec. 6.—Billy Merson, the comedian, has produced a new farcelet with himself in the leading role, which has created quite a favorable impression here.

CHALIAPINE NOT DEAD

LONDON, Eng., Dec. 6.—The report that Fyodor Ivanovitch Chaliapine, the Russian bass singer, had been murdered by Bolsheviks, has been denied by a Helsingford despatch announcing his appearance in a new opera "Pskovitanka." The report was that, fearing he was suffering from the plague, his Bolshevik friends had shot him.

CUTS OUT MATINEES

Marie Dressler, with "Tillie's Nightmare," has been playing to such small houses that the management has decided to do away with the Wednesday matinees during her stay here. Business has been way off and it is doubted whether the returns will be sufficient to carry the production during its stay.

CHICAGO NEWS

Coal Strike Hits Chicago Theatres Almost Vital Blow

Some Are Closed Part of Week and Open the Rest While None Can Give More Than Six Shows—Business Affected and Cut Way Down

The coal strike has certainly hit Chicago theatres hard, for it has forced some of them to be closed part of the week and cut down the number of performances in others. As a matter of fact, no Chicago theatre will be allowed to give more than six shows. The situation is considered very serious here.

The Palace Music Hall remained closed Monday and Tuesday afternoon and evening and will operate only evenings the rest of the week with a matinee performance on Saturday. But not so with the continuous vaudeville houses. They will remain closed the first four days of the week and open the last three.

The recently passed ordinance eliminates motion picture theatre entirely. Manager Tisdale, of the Majestic Theatre, announced that he would operate his vaudeville house under the same clause as a motion picture theatre. The continuous vaudeville houses also state that they will remain open under the

STERNAD TO MANAGE HOUSE

Jake Sternad, for a number of years prominent in theatrical booking and producing circles, has been appointed manager of the New State Congress Theatre, assuming his duties there on Tuesday of this week. He has been in retirement for the past year, but the offer made him come out of his retirement and get back into active harness again.

TRIES SUICIDE

Lotta Rich, well known in musical comedy, burlesque, vaudeville and cabaret life, endeavored to commit suicide last week by swallowing iodine and lysol. After taking the poison the young actress walked into the receiving room of the Cook County hospital, screaming out that she had swallowed poison. She was given emergency treatment, but is reported to be in a very critical condition.

AFTER "UNDER 21" SIGNS

The old time "get 'em" signs in front of theatres, which read "No one under 21 admitted to this theatre" are to be abandoned, if an ordinance recently drawn by Alderman George M. Maypole, is accepted by the City Council. The alderman stated that he is going to fight the issue to a finish in an effort to do away with such misrepresenting signs.

GOLDBERG TAKES OVER HOUSE

Lew M. Goldberg, the agent, has taken over the Harper theatre, which has a seating capacity of 1,500 as a high class vaudeville house. It will be open January 1, booked by the Western Vaudeville Managers' Association.

"CIVILIAN CLOTHES" DUE

William Courtenay has been selected as the star to succeed Marie Dressler at the Olympic theatre. Courtenay will act "Civilian Clothes." The Olympic theatre was the only available house for Courtenay. He will open on Dec. 21.

same condition, but it is thought probable that they will be unable to do this owing to the fact that they must consume electricity for lighting purposes, while a motion picture theatre does not. However, this point is to be settled between the Government agents and the managements of the various theatres. All other Chicago theatres, including musical comedy and legitimate houses, will give but six performances a week, thereby obeying the orders of the Government agents.

All Chicago theatres are said to be well stocked up with coal and should any of them violate the orders they will be closed up immediately, their coal commander and their owners arrested and forced to stand trial. The vaudeville houses are said to have a scheme whereby they will sprinkle motion pictures throughout their programs with the hopes that they will then be classed as a motion picture theatre. The Majestic is said to be heading this scheme.

OPERA DIRECTOR SUES

Phillip Stein, director of the Boston American English Opera Company, has filed a suit against his wife, known under the stage name of Estella Valenza. Leon A. Bereznak represents him.

BEREZNIK IS BACK

Leon A. Bereznak, the theatrical lawyer, has just returned from a trip to New York, Boston and Pittsburgh. While in New York he made his headquarters at the N. Y. A. club and the Pennsylvania Hotel.

LOUISE STEWART WINS

The suit of Louise G. Stewart against her husband, Jack Roy Stewart, on the grounds of cruelty, was decided in the Superior Court last week in her favor. She was awarded \$10.00 weekly alimony and the custody of her child.

RESTRICT STATE-LAKE

The State Lake Building, which houses a number of theatrical and music publishing firms, has been placed under restrictions along with other Chicago buildings, opening at 9 A. M. and closing at 3:30. Under the recently passed ordinance the buildings can only operate six and one-half hours a day. Starting Monday, the day will commence at 12 noon and end at six. It is said here that there is a possible chance that the working hours will be cut to four hours daily.

COHAN'S DAUGHTER ACTING

LONDON, Eng., Dec. 5.—Ethel Levey and George M. Cohan's daughter, Georgette Cohan, will make her debut on the stage in "Mr. Pip Passes By," in London. The play will be produced by Dion Boucicault and was written by A. A. Milne.

"RECKLESS EVE" GETS DIVORCE

Florence Worth, one of the principals of the "Reckless Eve" company, was granted a divorce on Dec. 1 by Judge William Fenimore Cooper. She was granted \$8 a week alimony and other property.

The NEW YORK CLIPPER

THE OLDEST THEATRICAL PUBLICATION IN AMERICA

Founded in 1853 by Frank Queen
Published by the
CLIPPER CORPORATION
Orland W. Vaughan.....Pres. and Sec.
Frederick C. Muller.....Treas.
1604 Broadway, New York
Telephone Bryant 6117-6118
WALTER VAUGHAN, EDITOR
Paul C. Sweenhart, Managing Editor

NEW YORK, DECEMBER 10, 1919.

Entered June 24, 1879, at the Post Office at New York, N. Y., as second class matter, under the act of March 3, 1879.

THE CLIPPER is issued every WEDNESDAY.

Forms Close on Monday at 5 P. M.

SUBSCRIPTION

One year, in advance, \$5.00; six months, \$2.50; three months, \$1.25. Canada and foreign postage extra. Single copies will be sent, postpaid, on receipt of 15 cents.

ADVERTISING RATES FURNISHED ON APPLICATION

Chicago Office—Room 841, State Lake Bld.
Harry F. Rose, Manager.

San Francisco Office—830 Market St.
R. Cohen, Manager.

Address All Communications to
THE NEW YORK CLIPPER
1604 Broadway, New York.

Registered Cable Address: "Authority."

The Clipper Can Be Obtained Wholesale and Retail at our Agents, Gorring American News Agency, 17 Green Street, Charing Cross Road, London, W. C., England; Brentano's News Depot, 37 Avenue de l'Opéra, Paris, France; Gordon & Gotch, 123 Pitt Street, Sydney, N. S. W., Australia.

Criminals and the Stage

Pick up any daily, give a glance at the Police Court news, and it is very likely that you will find some arrested one as giving the occupation of actor, or actress, as the sex may be. This has happened so frequently lately that it is a matter of comment.

Except in hardened instances, where records are on file and misrepresentation is useless, it is the natural and, it must be admitted, human inclination to cloud identity. No one who achieves the criminal records will truthfully detail past occupations or associations unless required to under oath, in the hope that they will "get out of it" to the secret closing of the whole affair. And to this end they say they are what they are not. In this sole matter of occupation, the prisoner's word is accepted, while all other statements are the subjects of cross-examination and often of minute investigation, with the result that a lot of actors and actresses, recently, have been arrested who are not actors or actresses at all.

It is psychology or coincidence or something unphysical, evidently, that is the reason for it. Some years ago, when the Tenderloin was all that was claimed for it, three out of five of the many who were caught up in those busy days gave their "occupation" as newspaper man. Not one newspaper man out of a hundred, let alone three out of five, actually ever was charged with an offence, but that was the occupation given, and so it became public through the columns of the dailies. These same dailies began to investigate for themselves, however, and soon the practice was stopped.

Now it is the actor. And, as with the newspaper man, it isn't the actor. But it is gaining an ill repute and doing a grave harm to the acting profession. In the past few years, the actor has been emerging from under the cloud that an age-old mistaken judgement placed him and this new and equally unfair process of stigmatization will not help him further out of the muck. Rather, it will class him as even worse than "vagabond".

It should be a matter for the authorities to investigate, therefore, if an offender is what he says he is. If he gives his occupation as actor, make him tell what acting he has done lately—and it is safe prediction that he will be dim as to details. It would be only fair to the thousands in the profession who suffer indirectly, if not directly, by his admissions.

DIDN'T LOSE DIVORCE

Editor N. Y. Clipper.

Dear Sir:—Kindly correct a report that Edna Ann Luke Kelly lost her divorce case against Perry J. Kelly. I wish to say my case has not even come up in court. Although Mr. Kelly has been served, he has, as yet, not filed a cross bill. Yours truly

Eda Ann Luke.

Cleveland, Dec 2, 1919.

CHILD LABOR AND THE STAGE

(From the Indianapolis News.)

That the law should be enforced at all times admits of no argument even though adherence to the letter sometimes imposes restrictions in cases whose merits may have escaped the consideration of spouses for a certain measure. What seems to have been an example of this defect was the imposition by a Chicago judge of a fine of \$1,340 against the management of a theatrical company which presented children on the stage in violation of the child labor law. There were five youngsters under 10 years old with the company and the management was fined on 168 separate charges for every appearance during the four weeks run.

The frames of the child labor law sought to prohibit the employment of children in industries of a nature to stunt their growth or to deprive them of a common school education or its equivalent. The measure was intended also to defeat the greedy employer who would endeavor to get his work done at a wage on which an adult could not exist. Any law which lays down the hard and fast rule, however, that the appearance of a child on the stage offers grounds for fine or perhaps imprisonment opens the way to injustice. If it could be shown that the child was living in improper surroundings or that a part with a theatrical company was detrimental to health, ample provision for its protection has been made under other statutes.

As a matter of fact the majority of stage children, it will be found, receive greater care than many youngsters enjoy in their homes. Often they are accompanied by their parents; if not, a nurse is employed. A tutor looks after their lessons and by traveling over the country they obtain a broad education which wears of study in one locality could not bestow. Ordinarily the time they spend on the stage does not exceed five or ten minutes so that the "labor" can not be said to undermine their health. Governed by the schedule of performances their lives adhere more closely to routine than those of the ordinary child. The appearance of a cute youngster never fails to make an irresistible appeal to an audience and most of us can recall the enjoyment we have derived from these occasions. "The Bluebird", Maeterlinck's delightful allegory, would have been denied us if courts throughout the land had taken the attitude of the Chicago judge.

TWENTY-FIVE YEARS AGO

Amy Busby was engaged by Charles Frohman.

Charles J. Stine was with "A Railway Ticket" Co.

"The Littlest Girl" was produced by Bob Hilliard.

Geo. Appo and Tom Gould opened with E. E. Price's play "In the Tenderloin".

Mrs. L. Dockstader sued Harry J. Clapham for an accounting of their

joint interests in Dockstader's Minstrels.

"The Cotton King" was produced by Wm. A. Brady at the Academy of Music, New York.

"The Masquerader" was produced by the Empire Theatre Stock Co., New York, with Henry Miller, Wm. Faversham, J. E. Dodson, Joseph Humphreys, Robert Edeson, W. H. Crampton, James Lee Finney, Wm. H. Thompson, E. Y. Backus, Viola Allen, Alice Fisher, Elsie DeWolfe, Ida Conquest and Genevieve Reynolds in the cast.

"To Nemesis" was produced at the Star, New York with Frederic DeBelleville, Henry Jewett, Mason Mithell, Edwin James, Rose Coghlan, Maxine Elliott, Effie Shannon and Hattie Russell in the cast.

ANSWERS TO QUERIES

Miss Ed—John Charles Thomas appeared in "The Passing Show of 1913", "The Peasant Girl" in 1915 and also the "Passing Show of 1915".

Nicki—"Alone at Last" was presented at the Shubert Theatre. It opened on Oct. 19, 1915. "Step This Way" also was presented at the Shubert, but not during the same year. It opened on May 29, 1916.

S. H.—Just the other way. "The Highwayman" was produced at the 44th Street Theatre and "The Star Gazer" at the Plymouth.

T. J.—Helen MacKellar is now appearing in "The Storm". She has appeared in "Whirl of The Town", "Bought and Paid For", "Sinners", "Too Many Cooks", "Seven Chances", "Major Pendennis", "A Tailor-Made Man" and, before her present engagement, was seen in "The Unknown Purple".

B. L.—The last production seen at Niblo's Garden was "My Aunt Bridget" with George W. Monroe. The theatre closed on March 23, 1895.

M. K.—Gardner James is playing the part of a youngster under the name of Chuck Brown in "The Crimson Alibi". Harrison Hunter and Robert Vaughn are the other two.

C. T.—"Furs and Frills" was a musical version of "Coat Tails".

W. I.—"The Fall of the Romanoffs" was made by Herbert Brenon.

T. P.—There is another Cantor who has played in vaudeville. The one you have reference to is Lew Cantor.

Dick—Julia Arthur toured with "Liberty Aflame" in vaudeville.

J. H.—"What Happened to Jones" and "Why Smith Left Home" were produced by the Broadhurst Brothers, George and Thomas.

Harry—"Seven Keys to Baldpate" ran for twenty-eight weeks at the Astor Theatre.

G. H.—"The Crinoline Girl" was presented at the Knickerbocker in 1914. It was one of Julian Eltinge's vehicles.

N. H. P.—Frances White and Frank Fay were married in April, 1917. Their troubles started a few weeks later.

V. M.—Wilton Lackaye and Burr McIntosh appeared in the original production of "Trilby", at the Garden Theatre, in New York. Clara Kimball Young starred in the motion picture production of the play.

W. T.—Klaw and Erlanger, with the late Joseph Brooks, produced "Ben Hur" for the first time, at the Broadway Theatre.

RIALTO RATTLES

HEADLINE WITH A MORAL

Headline says that Maude Adams Is Improving. Which shows that no matter how clever you are, there is room for development.

KEEPER, LOCK 'EM UP!

Writers of Ford jokes. Those who say, "Now, going from the ridiculous to the sublime—"

The acrobat who misses a trick a couple of times to impress the audience with the fact that it's difficult.

ANSWERS TO QUERIES

G. K.—We think Caruso is a better singer than Eddie Cantor.

S. M.—It is hard to define a genius. Sometimes we think a genius is nothing more than a successful nut.

G. G.—If we knew where William Rock plucked all those beauties, we wouldn't tell you. We'd scout around there ourself.

OLD SAWS RESHARPENED

My act! May it always go over right but my act, right or wrong!

On with the dance! Let the shimmee be unrefined.

It's a wise author that knows his own manuscript after the doctor gets in his licks.

Early to bed and early to rise, and you won't meet many actors.

OUR OWN REVUE:

(Chorus of baldheads):
Every night at the musical show,
There we are in the very first row,
Watching the chorus dance and sing,
Smiling and flirting 'n everthing.
And after the show, we take them out,
For that's the best way to forget the
gout.

Baldhead, Baldheads —
Baldheads all are we.
We don't care much for the Barry
mores,
Or of plays that deal with marriage
and wars.
But when it comes to a musical show,
There's nothing that baldheaded men
don't know!

UP AND DOWN MAIN STREET

T. E.—Manwarring will give a handsome prize to anyone who is a worse bowler than Tom O'Donnell.

Doris Hardy bought a new fur coat last week.

Art McHugh visited our office last week and read us a new musical comedy he is writing with Joe Flynn. Better treat the Chief of Police to lunch, Art, if you ever want the show to go on.

Al Lewis has put the Winter hood on his petrol wagon. He says it takes a lot of playlets to keep the buggy running with the high cost of gasoline.

James Madison is doing jury duty this week. Don't treat 'em too harsh, Jim.

Rose Care was in town last week, shopping for her new act.

Charles Irwin, who talks so much about things that make us thirsty, was seen drinking lemon soda at the Palace Bar last week.

HERE'S A NEW ONE

He—Yes, but little things amuse great minds.

She—You must play with elephants.

PERHAPS COHANY

George Jean Nathan has suggested that the name of Manhattan Island be changed to Cohany Island.

THE NAKED TRUTH

We used to be shocked
At the sight of a nightie.
But they don't even wear that
In playing Aphrodite.

Attorneys File Brief in Vaudeville Probe

(Continued from Page 3.)

reached such a high state of efficiency that it accomplished the result for which it was created without the aid of the blacklists of actors and theatres or the requirement that actors join the National Vaudeville Artists, Inc., and pay excessive commissions for obtaining employment in the theatres operated by members of the combination, and advertise in the publication known as "Variety"; but the cessation of the alleged unlawful practices by respondent does not dispense with the necessity of an order to cease and desist for respondents have contended in motions to dismiss the complaint that they were not subject to regulation by the Federal Trade Commission, and that the alleged practices upon which the complaint is based are not violative of any act the enforcement of which is vested in the Federal Trade Commission; so that the challenging of the right of the Commission to compel desistence from the alleged practices, constitutes such a continuing menace as to justify the issuance of an order to cease and desist from any of the unfair practices which contributed to the creation of the combination, for, following the doctrine announced by the court in the recent Sears, Roebuck & Company case, no assurance is in sight that the respondents if they could shake the Commission's hand from their shoulders, would not continue their former course, for while the combination of respondents is in effect, it has the means at hand for again engaging in all of the practices complained of.

The vaudeville theatres of the country are arranged in circuits. There are two circuits in which so-called "big time" vaudeville is played. This consists of two shows per day—a matinee performance and an evening performance, and occasionally an extra or third performance on holidays. In addition to the theatres in these two circuits there are a number of other theatres in which "big time" vaudeville is played, which theatres are booked in connection with the theatres in these circuits, and all of such theatres are booked from the offices on the sixth floor of the Palace Theatre Building, 1564 Broadway, New York City, which offices are operated jointly by the respondent, the B. F. Keith Vaudeville Exchange, the corporate name of which was formerly the United Booking Offices, and the Orpheum Circuit. These "big time" theatres are located in the following States: California, Colorado, Indiana, Iowa, Illinois, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Washington, and Wisconsin, and in the District of Columbia, and in the Dominion of Canada.

It frequently happens that performers are given contracts covering a route extending over all of each of these circuits, or requiring their appearance in a part of the theatres in each of the circuits, or in theatres in both circuits. The theatres in the Orpheum Circuit are in Chicago and west of Chicago, and the other theatres in which "big time" vaudeville is played, all of which are booked by the B. F. Keith Vaudeville Exchange, are east of Chicago, except that The Palace Theatre in New York is booked by the Orpheum Circuit, so that the theatres in these two circuits do not compete.

In addition to the theatres in which "big time" vaudeville is played, there are in the various States of the Union vaudeville theatres which play so-called "small time" vaudeville, which consists of three or more performances per day. Of the circuits of theatres in this classification, the larger and better known are the Loew Circuit, with 47 theatres located in twelve or more States and the Dominion of Canada; the Pantages Circuit, with 26 theatres located in eight or more States and the Dominion of Canada. The B. S. Moss Circuit, containing 16 theatres located in four or more States; the Interstate Circuit with 21 theatres in five or more States; the Proctor Circuit with twelve theatres in two States; and other circuits of various sizes. Each of the larger circuits in which "small time" vaudeville is played books its attractions through its own booking offices, and in many instances the performer receives contracts to appear in the whole or a large portion of the theatres in the respective circuits. In addition to the various circuits, there are a great number of theatres operated by various individual managers which are booked from one central booking agency as in the case of the Gus Sun Booking Exchange, which books 75 theatres, including seventeen in the Gus Sun Circuit proper.

To carry out the contracts to appear in these various theatres, the performer is required to travel from State to State, often times passing through one or more States, going from City to City, to keep the engagements. They carry with them their paraphernalia, special scenery, and stage properties which pertain to their

acts, and they are required to furnish photographs and advertising matter, which is transported from State to State, for use in billing or advertising their appearance in the various theatres.

There are not enough vaudeville theatres outside of the theatres in the circuits constituting the Vaudeville Managers Protective Association and theatres affiliated with such circuits, through booking arrangements, or otherwise, to enable a performer to make a living if limited to appearance in non-member or non-affiliated theatres. As to theatres in which "big time" vaudeville is played, the combination is 100 per cent complete, and as to the theatres in which "small time" vaudeville is played, the combination is probably 95 per cent complete.

While the activities or business of some of the individual respondents may not constitute commerce, they are all parties to the alleged combination or conspiracy, and the project or plan, as a whole, restrains commerce and monopolizes commerce.

In the course of the preparation of this brief it will be necessary to refer repeatedly to the Vaudeville Managers' Protective Association, the National Vaudeville Artists, Inc., and the United Booking Offices, the name of which has been changed since the issuance of the complaint to the B. F. Keith Vaudeville Exchange; and in many instances, as an economy of time and space abbreviations will be used, namely, V.M.P.A., N.V.A., and U.B.O.

ARGUMENT
OutlinePART I—VAUDEVILLE MANAGERS
PROTECTIVE ASSOCIATION.

The Vaudeville Managers Protective Association is a membership corporation, organized under the laws of the State of New York, the machinery of which, since about July, 1916, has been utilized by its members and affiliated interests, as a means of carrying out the joint activities of such members and affiliated interests. It is not itself engaged in commerce but its machinery or corporate organization has been made use of by persons, partnerships and corporations, who are engaged in commerce. It thereby became the agency through which persons, partnerships and corporations, who were engaged in commerce, operated, and so a co-conspirator with the persons, partnerships and corporations engaged in commerce in the conspiracy described in the complaint. It is obvious that all of the members of the associations and those affiliated with the association could have been properly joined in the complaint issued herein, but as there are several hundred members of the association, and a great many others who were not member, but were affiliated with it, great inconvenience and delay would have been experienced in making each and every member and those affiliated a party-respondent. On that account the complaint was issued against only those members of the Association who were chief executive officers of the association and charged with the duty of defining and carrying out the policies of that association, which members, so made respondents, are actively engaged in the various phases of the theatrical industry and are fairly representative of the diverse interests represented in the association or affiliation with it.

The Vaudeville Managers Protective Association was incorporated in 1910, but was not particularly active until about July, 1916, when a strike at Oklahoma City, Okla., was participated in by an association of actors affiliated with the American Federation of Labor and known as the White Rats Actors Union and Associated Actresses of America. This association of actors made certain demands which were refused by the theatre owners and later strikes were inaugurated by the actors affecting theatres in various cities of the United States, including New York, Boston, Chicago and St. Louis. As a means of combating these strikes and eliminating the actors who were advocating strikes, the machinery of the V.M.P.A. was employed and an experienced theatrical expert, outside its organization was employed as its manager. The money to finance the association's campaign was first advanced by certain executive officers of the association, and assessments were then made by the association to reimburse those who had advanced the money; and when the strike was over and the actors association which was carrying on the strike apparently defeated and crushed out, the members of the V.M.P.A. and its affiliated interests then proceeded to promote and finance another association of actors known as the National Vaudeville Artists, Inc., respondent herein, which association has always been under the domination of the members of the V.M.P.A.

The part that the V.M.P.A. had in creating the conditions complained of, can perhaps best be illustrated by extracts from advertisement published by

its authority and letters written by its manager.

In a letter written June 21, 1917 by the manager of the association, to one of its members (Commission's Exhibit 26) this statement is made.

"At a meeting of the Finance Committee held June 14th, it was decided that another assessment would have to be levied against the members of this association to meet the disbursements made during the recent strike, and your enterprise was assessed as per the enclosed statement.

"The Committee also decided that as it was nearing the end of the present season, if you can arrange the payment of the last assessment in three payments.

"For your information, the money to cover these disbursements was advanced by Mr. Albee, Mr. Murdock, Mr. Beck, and Mr. Loew, and in arranging for the payments to be made in this way, thereby waiting another three months for the money that they have advanced to save everybody in the show business from disaster, they are showing the entire theatrical world that this is the first real managers association backed not only with brains and hard work, but with plenty of money and not conversation.

VAUDEVILLE MANAGERS PROTECTIVE ASS'N, INC.

PAT CASEY."

In a page advertisement appearing in "Variety", issue of October 13, 1916 (Com. Ex. 18) there appears this statement.

"WATCH THE BILLS.

You will see the White Rats' names disappear shortly.
DO NOT DECEIVE YOURSELF INTO THINKING WE DO NOT KNOW WHO ARE AND WHO ARE NOT WHITE RATS AND WE WILL KNOW WHO PAY THEIR DUES.

"We advise you not to forget that we have a friendly working agreement and understanding with the National Vaudeville Artists, which has enough members at present to keep every known vaudeville house in America open, and we propose to give the members of that organization the preference in booking. WHEN YOU CAN SHOW A N.V.A. CARD IT WILL MEAN SOMETHING.

Vaudeville Managers Protective Association."

In "Variety" issue of November 10, 1916 (Com. Ex. 16) there appeared the following in a page advertisement:

"WHO'S BLUFFING

Now, are you convinced that the managers do know who pay their dues, and that they meant what they said regardless of the White Rats' Hot Air Association that it was a secret? Those few White Rats who have not yet received their cancellation must not feel slighted.

The managers are merely re-arranging their bills to meet the conditions and the balance will be reached in a few days.

NO ACT TOO BIG TO BE CANCELLED.

Vaudeville Managers Protective Association.

Another advertisement, occupying an entire page in "Variety", issue of October 19, 1917 (Com. Ex. 14) was as follows:

"A LITTLE ADVICE

It has been brought to the attention of this Association that here is an effort being made to procure "dues" from artists by someone for himself or for some organization professed to be represented by him.

We want to give a little advice to the artist. If you have money to pay dues with, pay it to the National Vaudeville Artists, the only society of artists recognized by the Vaudeville Managers' Protective Association. The N.V.A. is the artist's organization.

We suggest to the artist, if he is playing any theatre connected with the V.M.P.A. or wishes to play in such theatre, that he heed this advice, and become a member of the N.V.A.

We don't believe the thinking artist prefers to pay dues to someone who wants the working act to give money so he won't have to work for a living himself.

We don't want the artist to be a fool in fact, nor do we want artists with so little intelligence appearing in our theatres.

We issue this statement as a warning. No other notice will be given. No excuse will be accepted.

Vaudeville Managers' Protective Ass'n

Pat Casey, General Manager.

In "Variety," issue October 31, 1916 (Com. Ex. 69) there appeared an advertisement covering an entire page, bearing the name of the Vaudeville Managers Protective Association, in which there were enumerated the names of various circuits of theatres, associations, booking offices, and other affiliations, and the claim is made in that advertisement that all those named therein are members of the V.M.P.A. It is presumed that what is meant was that the associations and

booking office therein named were co-operating with the V.M.P.A. and were allies of the V.M.P.A. rather than members of it.

In "Variety", issue of December 8, 1916 (Com. Ex. 19) another advertisement of the same general character as Com. Ex. 69, is published over the names of twenty-six circuits of theatres and other amusement enterprises, booking offices and managers' associations, which names are followed by the recital "Members of the Vaudeville Managers' Protective Association." This advertisement, like Exhibit 69, serves the double purpose of showing some of the activities of the combination as well as identifying some of the units which enter into the make up of the combination.

Said Exhibit 19 contains this statement:

"A FAIR WARNING TO ALL VAUDEVILLE ARTISTS

In view of strike rumors and for the benefit of all vaudeville artists, we deem it advisable to issue the following notice:

You are hereby notified that should you refuse to appear in any of our theatres and "walk out" in sympathy with any strikes fostered by agitators and out-of-work performers, you will prevent future business relations with the undersigned, because you have broken your contracts."

In a double page advertisement of the V.M.P.A. appearing in "Variety", issue of March 16, 1917, there appears this statement, relative to the strike in New York (Com. Ex. 17):

"Several of the acts the following day called at the Loew offices and begged for permission to return to work and be reinstated in the good graces of the Vaudeville Managers Protective Association. THIS POSITIVELY WAS NOT GRANTED AND NEVER WILL BE DURING THE EXISTENCE OF THE VAUDEVILLE MANAGERS PROTECTIVE ASSOCIATION."

Then followed a resume of the extent of the strike in various cities, and concluding

"YOUR FUTURE

The Vaudeville Managers Protective Association, comprising the OWNERS AND MANAGERS OF EVERY IMPORTANT VAUDEVILLE HOUSE IN THE UNITED STATES, have decided after much thought and deliberation to engage after March 19, 1917, only the "Worthy artists" who are, and are known to be, real honest members of the National Vaudeville Artists, Inc. While this organization exists no vaudeville artist who walks out, or has walked out, of any theatre operated by a member of this association or pickets in such theatre on an order issued or instituted by the 'White Rats' will SECURE AN ENGAGEMENT IN ANY THEATRE OR FROM ANY MANAGER THAT IS A MEMBER OF THE VAUDEVILLE MANAGERS PROTECTIVE ASSOCIATION."

Vaudeville Managers Protective Ass'n."

As a sort of grand finale of its advertising program, the V.M.P.A. in the issue of July 20, 1917, of "Variety" (Com. Ex. 54) published the following:

"FINAL NOTICE.

Vaudeville and Burlesque Managers Attention.

The Vaudeville Managers Protective Association, whose membership now includes a majority of the representative vaudeville and burlesque managers of the United States, has voted to close the rolls August 25th, after which date membership will be restricted and the conditions precedent admission be distinctly different.

The reasons for this action are many—not the least of which is, we want to know now WHO ARE FOR US. THERE IS NO MIDDLE OF THE ROAD.

It is of supreme importance to you Mr. Manager to belong to this organization and the time for procrastination is passed. Don't wait until too late and then regret not having acted in time.

The alliance between this association and over 10,000 artists composing the N.V.A. is the closest type—and the members of the V.M.P.A. soon realized it.

New houses opening for the first time after August 25th are not included in this restriction, provided application for membership is made within forty days after opening.

SHERMAN WAS RIGHT. So in all friendliness we urge you again. Fill in and mail the form appearing herein and DO IT NOW. This will be held on file pending completion of application and action thereon by the Membership Committee.

Vaudeville Managers Protective Ass'n. Pat Casey, General Representative, 901 Columbia Theatre Bldg., New York City.

The character of the monopoly possessed by the theatres operated by members of the V.M.P.A. and its affiliations, is described by the witness Fitzpatrick (R. 1968—1969) as follows:

"O. Are you generally familiar with the extent of the theatres throughout the country that are operated by members of the V.M.P.A.?"

A. With the "big time" theatres and some of the "small time" theatres, yes.

Q. Where could a variety actor go for employment, a vaudeville actor, if he did not work for houses that were members of the Vaudeville Managers Protective Association?

A. He could not work anywhere.

Q. Why not?

A. Because they are all in it; that is all the houses which pay any money and have any standing and who give any sort of a consecutive booking. There are a few isolated "small time" theatres that do not belong, I believe. The truth of this testimony is emphasized by a glance at the list of names of the membership of the Board of Directors of the V.M.P.A. (R. 50).

Edward F. Albee, Martin Beck, Clark Brown, Harry Davis, Herman Fehr, Mr. Shea, Walter Vincent, Harry Feiber, William Fox, Aaron Jones, Mort Singer, Marcus Loew, Morris Meyerfield, Jr., Jas. H. Moore, B. S. Moss, John J. Murdock, Jos. Schenck, Alexander Patages, Sylvester J. Poll, Frederick F. Proctor, John Ringling, Sam A. Scribner and Gus Sun."

PART II—THE WHITE RATS' ACTORS UNION.

The White Rats' Actors Union has never been in good standing with the various associations of vaudeville managers and affiliated interests. This is illustrated by the testimony of the witness Fogarty (R. 1133) to the effect that immediately after his election as president of the White Rats' Actors Union, in 1914, he called on the respondent, E. F. Albee, at his invitation. At this meeting Fogarty tried to induce Mr. Albee to confer with a committee from the actors union to adjust any differences that might arise between the actors and the managers and promote harmony generally in the relations of the actors with various managers. This request was denied and the statement was made by Mr. Albee that he would meet no committee from the White Rats Union as long as they were members of the Union. This was about two years before the strike at Oklahoma, the first of the recent series of strikes participated in by the White Rats' Actors Union.

In "Variety", issue of September 29, 1916 (respondent's Exhibit 50) there was published a letter addressed to the president of the White Rats' Actors Union, from the Vaudeville Managers Protective Association, which contained the following significant statement:

"Since the reorganization of the White Rats' Actors Union we have declined to deal with it because it is a trades' union, and it advocates the principle of the 'closed shop'.... We stand for freedom of the artist not thralldom. This is the sole issue between this association and your association. This issue can not be and will not be arbitrated or discussed. We absolutely refuse any conference with any committee of White Rats so long as the White Rats bear the union stamp.... Strike or no strike we are forever pledged against any conference with it and any of its committees, so long as the White Rats continue to be a labor union, with its policy of closed shop and what that backward step would mean to vaudeville."

There are various other exhibits and incidents referred to in the testimony which corroborate this and make clear the hostile attitude of the V.M.P.A. towards the White Rats' Actors Union and the reason therefor, and we deem it unnecessary to pursue the discussion of this phase of the controversy further.

PART III—THE NATIONAL VAUDEVILLE ARTISTS' INC.

The hostility of the V.M.P.A. to the White Rats' Actors Union is no better established than the fact that the same Managers Association promoted, organized, financed, and put in running order another association of actors, known as the National Vaudeville Artists, Inc., and that the N.V.A. was the creature of the managers association, who have at all times dominated it, is well established. This is illustrated by the following extracts from exhibits and testimony:

In an advertisement appearing in the "Billboard" issue of June 10, 1916, (Com. Ex. 32) authorized by the N.V.A. there appears this statement:

"Our main object is to promote harmony between the artist and the manager. We have the absolute assurance of the Vaudeville Managers Protective Association that they will aid us in making this organization a huge success. Our committee conferred with a committee of the Vaudeville Managers Protective Association, the latter consisting of John J. Murdock, Joseph Schenck, and B. S. Moss...."

It appears from the testimony of the witness Fogarty (R. 1148-1264) that he was urged by John J. Murdock, an officer and director of the V.M.P.A., to become president of the N.V.A. Mr. Murdock stated:

"Now, of course, Fogarty, if you accepted the presidency, we want you in

New York; you could not travel any more. Therefore, we will have to take care of you in that respect."

Which offer was declined by Mr. Fogarty who stated:

"If I should accept any money from you and being president of this organization, you would have virtually bought me. Now, if the actors were paying me a salary and the actors came and said we want to pay you so much, that would be a different proposition, but you, as a manager, making the offer, I could not accept it because it would surely look, on the face of it, as if you were paying it and that must not be so, but I will go and take the position for nothing if you will do what I say."

The influence of the V.M.P.A. over the affairs of the N.V.A. is further indicated by a circular letter sent to each member of the Association (Com. Ex. 13) as follows:

Vaudeville Managers Protective Ass'n
Columbia Theatre Bldg.,
47th St. & 7th Ave.,
New York City.

April 30th, 1918.

All Members:—

There are some members of the N.V.A. that seems to think they can lay back and let the managers do all of the work and put up all of the money required to take care of the needs of their organization.

One indication of this is the fact that the members are not buying tickets for the benefit as they should. We know of several instances where members have asked actors to take tickets, and the actors have replied that they had already bought some, when from the records kept we know that they had not done so.

Another indication is the fact that some of the artists seem to think they are doing the manager a favor if they buy these benefit tickets. Let them get any such ideas out of their minds. This benefit, and all the other activities of a like nature, are for the ACTOR'S good, and it is up to him to support them and do it unequivocally and enthusiastically.

We've just held a meeting to consider the proposition; some of our members thought it might be well to abandon these benefits altogether and just make an arrangement for a flat assessment of a week's salary on each act given a route and thus raise the funds the N.V.A. must have.

Now, we've kept our promise, and they must put their shoulders to the wheel. Put it up to them in unmistakable and clearly defined statements of what the Real facts are, and let's identify the dodgers. Not all of them dodge—but we want to know who does.

(—) From now until May 12th please note on your blue form) weekly reports, opposite the name of each act listed, the number of tickets purchased from you; or if act claims has already purchased tickets, make a little note of the name of the town wherein he claims to have purchased them. We'll check the proposition up at this end and find out what's what.

We do not propose that we shall put forth the effort we have and are continuing to, and that the beneficiaries of the movement shall avoid their—plain duty.

Yours very truly,

Vaudeville Managers Protective Ass'n.
Signed. Pat Casey."

It appears from the testimony of the witness Frazer (R. 1805) that the letter (Com. Ex. 62) which bears his signature should have gone out over the signature of E. F. Albee instead, as it was Mr. Albee's letter, but by mistake his name was affixed to it. It was sent to all theatre managers doing business with the Boston United Booking Offices and contained the request that the managers induce the actors to join the N.V.A., and assuring them that actors joining the N.V.A. would be recognized by the managers first.

From Commission's Exhibits 7, 8, and 9, it appears that in weekly reports required by the V.M.P.A. from its members, they were required to state whether the performers appearing in the various theatres operated by the members were members of the N.V.A.

It appears from the testimony of the Manager of the V.M.P.A. (R. 68) that late in 1916 he had prepared a rubber stamp for use on printed contracts with actors appearing in the various theatres operated by members of the Association, so that there might be stamped on the margin or in the body of the contracts thereafter issued to actors who might be engaged to appear in such member-theatres, the following provision:

The Artist warrants and agrees that he and the members of his acts are members of the National Vaudeville Artists, Inc., in good standing, and that they are not nor are any of them members of the White Rats' Actors Union, or Associated Actresses of America, and in the event that this warranty or representation shall be found untrue, the manager may forthwith cancel this agreement, without any liability to the artist whatsoever."

The witness further testified that one of these stamps was sent to each booking office. For forms of contracts issued to

actors for appearances in theatres operated by members of the association, containing the provision stamped in with the rubber stamp, see Commission's Exhibits 10, 66, and 67. Afterwards some of the booking offices had the provision printed in the body of the contracts issued by them. (See Com. Ex. 76-77). Other booking offices put in contracts issued by them (Com. Ex. 78-79) a modified clause which reads as follows:

"The artist warrants that he is a member of the National Vaudeville Artists, Inc., in good standing, and if he is not the manager may cancel the contract forthwith."

Contracts containing the provision were issued as late as September, 1918. (Com. Ex. 79).

PART IV—UNITED BOOKING OFFICES

Since the complaint herein was issued the corporate name of the respondent, United Booking Offices, has been changed to "B. F. Keith Vaudeville Exchange". This corporation is licensed under the laws of New York, as a theatrical employment agency. It was organized by and has always been under the control of what has been known as the B. E. Keith interests. Its chief executive officers have been and are, directors in the V.M.P.A. Through it is booked all of the theatres east of Chicago in which "big time" vaudeville is played. The only other theatres in this classification are those of the Orpheum Circuit, which are booked in conjunction with those booked by the B. F. Keith Vaudeville Exchange from the same suit of offices. It has a complete monopoly in its field, east of Chicago, of "big time" vaudeville, and issues booking franchises to various theatres in its field; that is to say, if a new theatre is built for "big time" vaudeville performers, its manager finds that it is impossible to get performers to appear in the theatre except by the consent of the B. F. Keith Vaudeville Exchange, for high class performers will not appear in a theatre which is in opposition to the theatres in the Keith and Orpheum Circuits and its affiliated theatres. This condition is described in the testimony of the witness Fitzpatrick (R. 2277-2278), as follows:

"A. For instance, in a certain town there is a "big time" vaudeville theatre booked by the United Booking Offices or the Orpheum Circuit. Now it is impossible for any other man to go in that town and start a theatre and book "big time" after this because he has opposition and he cannot get the acts, and if he can not get the acts he goes out of business. This is the situation in a nutshell. In order to have competition you have to have acts and the man who controls the acts controls the situation."

This condition is the result of the monopoly possessed by these circuits. The manager of a new theatre is thus compelled to rely on the respondent for furnishing performers to appear in such theatre. When arrangements are made for this service the respondent then issues to such theatre a franchise (Com. Ex. 40-41) which obligates the manager to present no attraction in such theatre except such as may be booked by respondent, and to retain from the salary of the performers the commission due the respondent and pay same over to it. Among other provisions in these franchises is the following:

"(6) Except as above provided, the manager agrees not to be or become interested, directly or indirectly, as a stockholder or otherwise, in the ownership, operation or management of any vaudeville theatre in any city or place where there shall be a theatre or other place of amusement for which the booking offices may have contracted to do the booking; but if said manager so acquire or become interested in any theatre not within the above prohibition which he wishes to conduct as a vaudeville theatre then it is distinctly understood and agreed that the vaudeville attractions for such theatre shall be booked therefor only by the booking offices upon the same terms and conditions in all respects as herein set forth, and said manager agrees in such event not to procure vaudeville attractions for such theatre from any other agency."

When it is able to do so the U.B.O. requires the theatre booking attractions through it, to pay in addition to the 5 per cent of the performers salaries, a booking fee, running from \$5.00 to \$100 per week (R. 837), and in the case of the 81st Street Theatre, New York City, \$230.77 per week, (R. 842). Certain theatres are not required to pay this booking fee, among which are the theatres of the Keith Circuit, Proctor's Circuit, Poll's Circuit, and a number of theatres not members of the large circuits. (R. 839-842).

The U.B.O. provides a place where various theatre managers who are members of the V.M.P.A. meet on Tuesday and Wednesdays of each week to engage performers for their respective theatres and fix salaries for the various acts to be employed by them. These meetings are presided over by S. K. Hodgdon, the booking manager of the U.B.O. and are described in the testimony of the witnesses Hennessey, manager of a department of the U.B.O. (R. 921-928); Weber, a representative of acts (R. 1100-1104; 1116-1120); and Schanberger, a theatre manager (R. 2918-2920). The procedure in the case of

performers who are not represented by personal representatives is illustrated by the following extract from the testimony of the witness Schanberger, (R. 2918-2920):

"Q. Now, reverting to this meeting in which you discussed the merits of actors and how much they were worth. I understood you to say that some times Mr. Hodgdon presented letters from actors seeking employment or time as it is called in the vaudeville industry. That is true, isn't it?

A. That is the usual procedure, yes, sir.

Q. It is of course where the actor is not represented by a personal representative or an agent, that that is true, is it?

A. That is true.

Q. Just how is that handled, won't you tell us a little more in detail?

A. The letter is read to the managers, we are all assembled all around the same as we are here.

Q. Sort of a round table?

A. The letter is read and opinion is asked from the managers; and the man from Buffalo may say that 'I saw the act and I don't like the act.' And he might say, 'I saw the act last night and I would not have it in my theatre.' The man from Philadelphia might say, 'It is a good act, I saw it, and it is just such an act as my audience would like to have. I am happy I saw it for it just suits my people.' The man from Boston might say, 'It don't suit me.' It very often happens there is a division of opinion caused by the audiences of the various cities requiring different kinds of acts.

Q. I get that all right. Now, then some man in New York may want it, you may want it, Mr. Shea in Buffalo may want it, and then you conclude you will take it in those three houses, is that the system, and the way it works out?

A. Yes, we can book that act in the three houses and the others can follow in behind or move it around.

Q. They don't have to take it unless they see fit?

A. Yes.

Q. How do the three houses agree what you are going to pay for that act?

A. Mostly by the demand for the actor. The actor will make a demand for the act, stipulate a sum, say \$500. We may say that the act is worth \$500 and we will give it for it. Mr. Shea will say I do not think the act is worth more than \$400 for my business. I may say it is not worth more than \$350 for my purposes, and then we try to get together and offer a compromise rate, say we will offer it \$400 or \$450 for the act and Mr. Shea will take it, I will take it and the man from Philadelphia will take it.

Q. At \$450 as the price that has been agreed upon between you gentlemen that you like and you will offer that for it?

A. After discussion we generally agree or reach a compromise as to the price."

The procedure at these meetings where performers are represented by personal representatives is illustrated by the following extract from the testimony of the witness Weber (R. 1116-1120):

A. Well, here is a routine of the meetings. As a rule each week this was the routine more or less. Mr. Shea of Buffalo, who owns Buffalo and Toronto, Mr. Schanberger, who represents the Kerman interests of Baltimore, Mr. Lovingberg, who represents the interests of Providence and Mr. Larson of Boston, Mr. Jordan of Philadelphia, Mr. Harris of Pittsburgh—remember not always are these men all there, they vary one man or another, but as a rule most of them are there—Mr. Eddie Darling, who represents New York theatres and Mr. E. M. Robinson, who represents some New York theatres and Mr. Hodgdon sits at the head of the table with his secretary. That is about the routine of the managers' meeting each and every week.

Q. They sit at a large table?

A. Yes, sir.

Q. And at which Mr. S. K. Hodgdon presides?

Q. With his secretary, taking the minutes of the meeting.

Q. Then what occurs?

A. They bring up the different new acts that come along—new business and new acts—and discuss them as to whether or not they want to use them.

Q. Now, if they want to discuss an act in which you are interested, do they call you in?

A. No; I go there, I must seek them. They never seek me. That is my business.

Q. Then what do you do?

A. I go there and represent what material I may have or what has come up during the week. Some times there is unfinished business left over, and maybe they have made an offer for an act that is not satisfactory to the artist or to myself, and I go back there and

(Continued on Page 24)

MELODY LANE

FRENCH SOCIETY SUED FOR A HALF MILLION

Three Suits Filed Against Musical Organization in Which Damages Amounting to \$555,683 Are Asked

Three suits at law in which damages aggregating \$555,683 are asked have been filed against the Societe des Auteurs, Composers et Editeurs de Musique, the famous French organization which collects a performing rights fee for the public performance of the compositions of its members.

The American Society of Authors, Composers and Publishers of New York, an organization patterned along the lines of the French society, is the plaintiff in one of the actions and asks for \$500,000. In its complaint the American society alleges that a contract was made with the French concern on July 20, 1910, whereby Ovide Robillard was to act as its agent here.

Originally the contract was for five years, so the complaint alleges, but a clause in it provided that it should run for five years more at the termination of the original period, if notice in writing was not given of its cancellation.

Under the terms of the contract the complaint goes on to say Robillard was to receive 50 per cent of all money collected by him under the agency contract. Later, it is alleged, an additional contract substituted the Society of Authors and Composers as agent instead of Mr. Robillard.

The French Society, so it is alleged, violated its contracts by appointing Oscar Osso its agent here and the \$500,000 asked for in the suit is to cover the damages said to have been sustained by the plaintiff.

Ovide Robillard, is the plaintiff in the second action, alleging that he rendered professional services to the defendant in legal actions of the value of \$50,000, and that he expended \$5,000 in its behalf bringing the total amount demanded up to \$55,000.

House, Grossman and Vorhaus, the attorneys have brought the third action against the French society and demand \$683, as an unpaid balance for legal services alleged to have been rendered the defendant.

The French society, which has been in existence for many years is a big factor in foreign musical circles. It has collected enormous sums of money for its members and is one of the most powerful organizations of the sort in the entire world. During the year prior to the war it collected in France alone the sum of \$1,000,000 for its members. The American organization, but a few years old and by no means complete in so far as its list of members is concerned, expects to become even more powerful financially than the French society.

MAXWELL HAS NEW SONG

Joe Maxwell, the theatrical manager and agent, has completed a new song called "Love is the King of the World." The song has been shown to a number of singing artists who have been so enthusiastic over it that its reputation has reached a couple of the big publishers and some spirited bidding for the publishing rights is now going on.

MEYER WITH THE REMICK CO.

George W. Meyer, the songwriter, recently with Leo Feist, Inc., has signed to write for Jerome H. Remick & Co.

GILBERT OUT OF LUCK

Wolfe Gilbert is out of luck in so far as accident insurance is concerned. Wolfe for years carried a good sized policy, but last month while checking up the matter discovered that he had been carrying accident policies for over fifteen years and never in that time had he as much as slipped on the pavement or wrenched his ankle on the rail. He thereupon cancelled the policies believing himself immune in so far as accidents are concerned.

The next day he was slammed into an automobile accident which bruised him from head to foot and broke a rib besides.

FLYNN AT THE RACES

Jimmy Flynn was a big hit all last week at the six day bicycle race where he scored a hit all through the week singing "My Baby's Arms" and "I Know What It Means To Be Lonesome."

BELCHER WILL INVALID

The will of the late Frederick E. Belcher, who died on September 11th, has been declared invalid by Surrogate Fowler, for the reason that while it was executed in the handwriting of the deceased and signed by him, it bore the signature of but one witness, Joe Keit.

The will was offered for probate by Mrs. Belcher who by its terms inherited the entire estate, no bequest having been made in it to Maxine Belcher, a daughter by a former wife. As she was a minor, the court appointed Oliver B. Goldsmith, her guardian, who brought the proceedings to nullify the will. Surrogate Fowler in his decision said, "The decedent's estate law provides that at least two attesting witnesses are necessary to the valid execution of a will in this state, and the alleged will of this decedent is therefore denied probate."

The decision leaves the Belcher estate as though he had died intestate and the daughter will therefore receive a share of his property.

WESLYN IN SAN FRANCISCO

Louis Weslyn of the New York office of the Daniels & Wilson Co., is on his way to San Francisco where he will make his headquarters at the home office of the company for the next three months. Milt Hagen has been called from the Frisco office to take charge of the New York branch.

RUSSAK IS PROF. MANAGER

Bob Russak is now professional manager for the Jack Mills, Inc., music house. In addition to his professional duties, Russak is writing songs and has recently completed a comedy number with Harry Pease and Eddie Nelson, called "You Ought to See Her Now."

KORNHEISER IN CHICAGO

Phil. Kornheiser, professional manager of the Leo Feist, Inc., music house, is in Chicago for the next ten days.

HARRIS HAS NOVELTY

In "Beautiful Nights," Chas. K. Harris has a novelty waltz song which has caught the public fancy. The orchestras in all the leading theatres including the Rivoli, the Strand and Rialto are playing it and it is being recorded by the leading phonograph and roll companies. Such singing artists as Lillian Herlein, Ida Brooks Hunt, Ruth Royle and others are featuring it and it bids fair to become a big success.

TEN CENT SONGS HIT BY THE STANDARDS

High Priced Numbers Outselling the Popular or Cheap Songs by Big Percentage

The big changes which since the war have occurred in scores of industries and which have in many instances compelled a complete readjustment of methods, seem to apply to music publishing in a most peculiar manner. With the enormous increase in the price of all necessities it is but natural to suppose that the public would welcome the chance to save money when buying musical compositions and with no definite object of purchase in mind would buy well of the popular or ten cents publications.

Just the contrary is the report of a half a dozen of the leading publishers who issue both the popular numbers which retail at ten cents and the standard or high prices songs which sell at from thirty cents upward. For some unexplainable reason the public seems to have turned in great numbers to the high priced songs and publishers looking over their daily orders have for weeks been amazed to note that their high priced publications outsold the popular numbers by a ratio of three to two and in some instances even greater.

This condition is indeed difficult to explain for when all is said and done a song hit is a song hit irrespectively of what price it is marked and in the popular catalogues it is an admitted fact that the difference in musical merit of a standard or ten cent number is indeed slight. So slight is it that instances where ten cent numbers have been lifted over night into the standard catalogue are common.

The introduction of the high priced song in the popular trade was the result of the continual increase in production cost, an increase which during the past few months has been so great that publishers will frankly state that it is impossible to continue in the business and publish the ten cent numbers exclusively. One or two publishers a few months ago selected a few songs and marked them at the high price. Their success was so pronounced that others followed until today nearly every house is represented by several of these numbers. The sales of many were exceptional from the first but during the past few months the complete turn in their favor seems to have been made. One of the big publishers in looking over a general order slip one day last week was amazed to note that in a twenty-five thousand copy order but ten per cent were of the popular or ten cent type and less than a year ago this same publisher did not have a high priced number in his catalogue.

Whether the present condition is due to the fact that the general buying public has so much money that it wants to make a display even in the purchase of its music or whether it has been led to believe that the high priced songs are always the best is hard to determine. The facts of the case are that just at present the high priced song has the call.

"CHEATER" SONG READY

Wolfe Gilbert's new song "That Beloved Cheater of Mine," written by Mr. Gilbert and Edna Williams and based on the new Robertson-Cole photo play feature, is ready.

COHEN CO. TO CONTINUE

The business of the Meyer Cohen Music Publ. Co. is to be continued with William Suffes, vice-president of the corporation in charge. Mr. Suffes has been in the music business for many years having been connected with the Chas. K. Harris Co. prior to joining the Cohen company.

MEETING CALLED OFF

The meeting of the members of the Music Publishers' Protective Association called for Wednesday night was called off and the matter which was to be discussed will probably be taken up at some other time unless some new move in connection with the music roll end of the business removes the desire for the conference.

The demand for music rolls of the popular publications is so great at present that the music roll industry has become one of the big ends of the music business. The word roll department in particular is most important and carrying with it the big royalties which greatly exceed the usual mechanical reproduction.

FEIST HAS THREE SHOWS

With the opening of "Monsieur Beaucaire" at the New Amsterdam theatre tomorrow (Thursday) night Leo Feist, Inc., will have three musical shows in New York. "Irene" at the Vanderbilt is an outstanding hit which will undoubtedly last the season, "Linger Longer Letty" is doing a fine business at the Fulton and if English critics and audiences are any criterion "Beaucaire" will be one of the best shows New York has seen in many seasons.

JUBILEE FOUR SCORES

The Exposition Jubilee Four at the Eighty-first Street theatre had things all their own way this week and scored one of the big outstanding hits of the bill. The act is smart, well dressed and best of all the men possess fine voices which they handle with ease and style. Their repertoire is excellent and they won much applause with several well selected popular numbers.

"CAROLINA SUNSHINE" LEADS

"Carolina Sunshine" continues to lead the Harry Von Tilzer catalogue in sales and is one of the season's big hits. The number is a big success with singers, orchestras, on the piano rolls and phonographs.

ARTMUSIC SELLS SONG

The song "When You're Alone," one of the publications of the Artmusic, Inc., publishing house, has been sold to the Broadway Music Corp. The song, which is in considerable demand among the vaudeville singers, is believed to have a much better chance for big popularization in the catalogue of the Broadway which specializes in popular songs, than in the Artmusic which has adopted a policy of handling only songs of a classical or semi-classical nature.

NEW MUSIC HOUSE FORMED

The Great Western Song Publishers is the name of a new publishing house which has opened offices in Lincoln, Neb. The first song release of the new concern is "I'm A Lonesome Boy From Loveland."

The new company has a number of other ballad and novelty numbers in preparation which it expects to put on the market shortly.

BURLESQUE

TRouble holds up Mt. Morris OPENING

HOUSE NOT TURNED OVER

The Mt. Morris Theatre in New York did not open Monday. Jack Reid's "Record Breakers" was to have played there this week but instead, have booked in some one-nighters between Philadelphia and Wilkes-Barre.

The Mt. Morris is owned by the Ancient Order of Hibernians, who made arrangements to turn it over to a stock company controlled by a number of burlesque managers and owners on Dec. 1. This company in turn leased the house to the American Burlesque Association, who were to open the house this week.

Some trouble between the owners and the present lessee is the cause for the house not being turned over to the American Circuit, but it was stated at the office of the Circuit Monday that, in all probability the matter would be all straightened out by Wednesday of this week and that the house would open Monday with the "French Frolics." If not it will surely open on the 22nd, the week following. George Peck will manage the house.

WIRE BOOSTING OUTDOOR SHOW
JACKSONVILLE, Fla., Dec. 4.—Sydney Wire has closed with the World of Home Shows and is promoting a big outdoor show to open in January. He now has Gus Hornbrook's Cheyenne Days and Wild West Show, also the Rhoda Royal Circus.

DID A SUNDAY SHOW
WORCESTER, Mass., Dec. 4.—George Broadhurst, the "dancing dope," and Vera Hennici, soubrette of the "Grown Up Babies," put on a singing and talking act for Sunday, Nov. 30, at Westfield, a short jump from Springfield and on the way to this city, where they opened with their show Monday.

FOX BECOMES MANAGER
PITTSBURGH, Pa., Dec. 8.—Harry C. Fox took over the management of the Victoria Theatre, this city, today, and is playing the attractions of the American Burlesque Circuit. He relieved M. T. Middleton, who resigned. Fox has been the treasurer of the house for the past two years.

DANCING IN "HITCHY-KOO"
BUFFALO, N. Y., Dec. 4.—Nan Sendall, who recently closed with Jack Reid's "Record Breakers," is now doing a dancing specialty with Raymond Hitchcock's "Hitchy Koo."

TO JOIN FLORIDA STOCK
John Black and Sue Milford left New York Monday for Jacksonville, Fla., where they will open in stock burlesque next Monday. Black will produce and work in the show and Miss Milford, who closed at the National Winter Garden last Saturday, will be the soubrette.

EDDIE GERARD CLOSES
Eddie Gerard closed with the Dave Marion Show in Cincinnati. He has accepted something outside of burlesque.

KITTY MADISON JOINS

Kitty Madison, who recently closed with the "Gloris de Looks," opened with William S. Campbell's "Rose Sydell London Belles" in Newburgh this week, replacing Hazel Hargis. Ike Weber booked her.

HERK IN CHICAGO

I. H. Herk, president of the American Burlesque Circuit, has left New York Sunday for Chicago. He will return the latter part of the week.

OPERATE ON GEO. REYNOLDS

George Reynolds, former "straight" man in burlesque, is confined at the Methodist Episcopal Hospital, Brooklyn, where he was operated on three weeks ago for gall stones.

LEADS GRAND MARCH

NEWARK, N. J., Dec. 5.—Billy Harris, of the "Broadway Belles," led the Grand March last night of the Motion Picture Machine Operators sixth annual ball, at the Krueger Auditorium along with Montague Love and June Elvidge. The hall was crowded to capacity and the affair was a success.

PROVIDENCE HOUSE OPENS

PROVIDENCE, R. I., Dec. 8.—The Empire Theatre opened here today with Gallagher and Bernstein's "Bathing Beauties." This was formerly the Westminster and is playing the attractions of the American Burlesque Circuit.

BUTLER GOES WITH REID

Jack Reid has engaged W. (Skeets) Butler as his agent to do the advance work for his "Record Breakers."

HOYT TO REPLACE ROSE

NEWBURGH, N. Y., Dec. 8.—Leo Hoyt will open with the Rose Sydell London Belles Saturday in Poughkeepsie, working opposite Chester Nelson. He replaces Lew Rose.

PATTON'S WIDOW APPOINTED

BUFFALO, N. Y., Dec. 8.—Hope R. Patton has been appointed press agent and assistant treasurer of the Gayety Theatre, this city.—She is the widow of the late Richard Patton, former manager of the house.

HARMS GOING TO FLORIDA

Billy Harms, of the Empire Theatre, Hoboken, will leave New York Christmas Day for Jacksonville.

FRANK ELDREDGE HURT

Frank Eldredge Sr., the theatrical printer, of Brooklyn, is confined to a private room in the Swedish hospital, as a result of an accident which occurred Thanksgiving Night at Ballston Lake, N. Y.

Eldredge was visiting friends and, while making a call in the evening and walking along the road, slipped on some ice and fell, breaking a bone in his knee. He was removed to his home in Brooklyn and, later, to the hospital. Frank Eldredge Jr. is handling the business during his father's absence.

MINSKY SIGNS MAY BELLE

May Belle, who recently closed with Tom Coyne's show on the National Burlesque Circuit, opened at the National Winter Garden Monday.

"RAGS" MURPHY CLOSING

CLEVELAND, Ohio, Dec. 6.—Frank "Rags" Murphy has given in his notice to close with the "Cracker Jacks" in Detroit next week.

BURLESQUE FOR SOUTH AMERICA IS RUMOR

SEQUIN MAY TAKE IT THERE

Reports that shows playing the Columbia and American wheel will have an opportunity to play South America were heard along Broadway this week. It is rumored that Charles Seguin, the South American producer who is now on his way to New York, plans to run Summer burlesque in a number of his theatres.

Seguin, in the last few years, has been playing an ever increasing number of vaudeville acts in South America because he has found that his audiences enjoy American music and dancing. It is said that he thinks that burlesque could be successful because it would give these elements to the audience on a larger scale.

Seguin is the head of the South American Tour, Ltd. Besides owning some fifteen vaudeville houses in South America, it also owns and controls the following opera houses: The Urgenza in Montevideo, the Municipal in Rio de Janeiro, and the Coliseo, the Opera and the Odeon in Buenos Ayres. It is these houses that would most probably be used for burlesque productions.

The salary of American performers in South America is the same as in America.

CLUB HOLDS BIG RECEPTION

Everyone of any importance in burlesque within an hour's ride of New York attended the house warming of the Burlesque Club last Saturday night in the Neh Club rooms. Some were unable to get in so filled was the building.

The Entertainment Committee, composed of Messrs. Ahn, Cooper and Roehm, handled the show end of the program well, as did the Reception Committee the refreshments. The show started with Ravona, a magician and Stewart and Quigley, a musical act, followed. The entire B. F. Ahn Stock Company was next. Kahn sent the whole company up from his theatre after the show in taxis and they appeared in costumes. The principals offered four of the oldest bits in burlesque, and the chorus of twenty girls, led by the principals offered four numbers. The first number which included Babe Quinn and the chorus, went over for a number of encores. Helen Adair, Grace Seymour and Norma Bell were very successful with their numbers. The principals to appear were Joe Rose, Harry Koler, Brad Sutton, Eugene West, Miss Lorraine, Noma Bell, Helen Adair and Grace Seymour, Hanley and Sheehan, of the "Beauty Trust" and "The Three Rounders" of the same show, were next and scored in the specialties they offered. There were many others ready to go on also.

A fine cold lunch was then served and there was punch to quench the thirst of all. Dancing followed in the reception room.

The music for both the show and the dancing was furnished by the Union Square Theatre Orchestra.

"BON TONS," IS A STRONG SHOW IN ALL ITS PARTS

This season's "Bon Ton" is the best show we have seen under this title since the days when Bert Baker and Bate La Tour were touring the circuit a few years back with it. It's a corking good laughing show, and a beautiful scenic and costumed production, with pretty melodies. Its a show that audiences will always like.

Geo. Douglass and John Barry are the comedians, both doing tramp character. The former is an acrobatic, dancing tramp, who has made a success as a comedian.

Barry has improved greatly since last season. He is more amusing now. He seems to get his "stuff" over better.

Harry J. O'Neal repeated his success of last season, as a "straight".

Micky Feeley is doing several comedy characters and does well. He stopped the show Monday afternoon, when he did his tumbling act in a neat fitting business suit. His head spins and diving somersaults are done in his old time style, and took the house.

Jack Strouse works straight in the first part of the show and does an Italian character in his specialty. Ed. Simmons is in several bits, doing nicely.

Lucille Rogers acquitted herself very nicely in the prima donna role. She has a voice that is both pleasing and powerful. She takes her high notes with perfect ease. This lady displayed some really beautiful gowns and wore them well. The audience liked her at this house.

Jean De Lisle, a fine looking ingenue prima donna, sang in blithesome fashion. She has a good voice and used it well in her numbers. Miss De Lisle can read lines nicely, and also displayed pretty dresses.

Babe Burnett, an acrobatic dancing soubrette, put her numbers over very well. She is a shapely little blonde, who does splits cartwheels and kicks high when doing her numbers. Her wardrobe is neat and attractive.

Miss Rogers, in a singing specialty, offered a number most successfully.

Considerable comedy developed in a specialty in one, offered by Douglas, Barry, O'Neal and Feeley. The "attention" part of the specialty was big laugh and the boys who served during the war could appreciate it out front. The entire specialty pleased. Both these boys are funny and they never seem to tire taking "bumps" when necessary and, in fact, go to all extremes for clean fun. They scored a big hit.

The burlesque operatic bit was liked, as offered by Barry, Douglas, O'Neal, Strouse and the Misses Rogers and De Lisle.

Strouse's Italian specialty, with Douglas and Barry assisting him was amusing. But it could be cut down a few minutes.

Miss Rogers' vampire number was well done. She was assisted by eight of the girls in the chorus. She was also well made up for the part.

The musical and singing specialty offered by Douglas, Barry and Strouse, went over nicely. Douglas and Barry played ukuleles and Strouse the violin.

"The Bon Ton" is a good comedy show, with a fine cast of principals of many different types. It's a good entertainment and proved thoroughly enjoyable Monday.

Sid.

JACK MAHONEY'S GR

About five years ago Jack Mahoney and Percy Wenrich wrote "Tulip and the Rose", the greatest march ever written, offering Mr. Mahoney's new march song and if our judgement means anything, we feel sure you are

If you do not
play yourself
ask the
pianist of the
theatre you
are working
to run it over
for you, then
let us know
your key and
we will send
you an
orchestration
at once.

When You Write, Sweet Marie,

Send Your Heart To Me

Words and Music by
JACK MAHONEY

Marcia moderato

When You Write, Sweet Marie,
Send Your Heart To Me

Words and Music by
JACK MAHONEY

Marcia moderato

VOICE

Vamp

I have just re - ceived your lov-ing let - ter, sweet Mar - ie, By the
I am say-ing all the let - ters that you write to me, I have

cross-es I can see, it was sealed with love for me; And in re - ply it's true that I don't
them where none can see, in my own love's lib - ra - ry, I miss you so where e'er I go, for

know just how to start, But I'll say this: en - closed you'll find my heart; — A
you my heart still pines, Oh, dear - ie, can't you read be - tween the lines? — You

world of love and kiss-es, too, I send, — And here's the lit - the post - script at the end:
close each let - ter with a fond good - by, — But when you say hel - lo no more I'll sigh.

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STAGE ENTRANCE

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CHORUS

When you write, sweet Mar- ie, send your heart to me, I'm send-ing my heart to
 you; Give it or lend it, for if you don't send it, I'll have none and
 you'll have two; Wrap it up in a smile and I'll wait the while — You
 seal it with your lips so true; So when you write, sweet Mar- ie, send your heart to
 me, I'm send-ing my heart to you — When you you —

Orchestra Leaders—
 Drop us a line
 and we will
 send you an
 orchestration
 of
 "SWEET MARIE"
 arranged for
 one-step. Our
 publications
 can be played
 anywhere
 without
 payment of
 any fee or
 license.

WE E
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Jimmie McHugh
of. Manager

EDMAN, INC.
PUBLISHERS

New York City

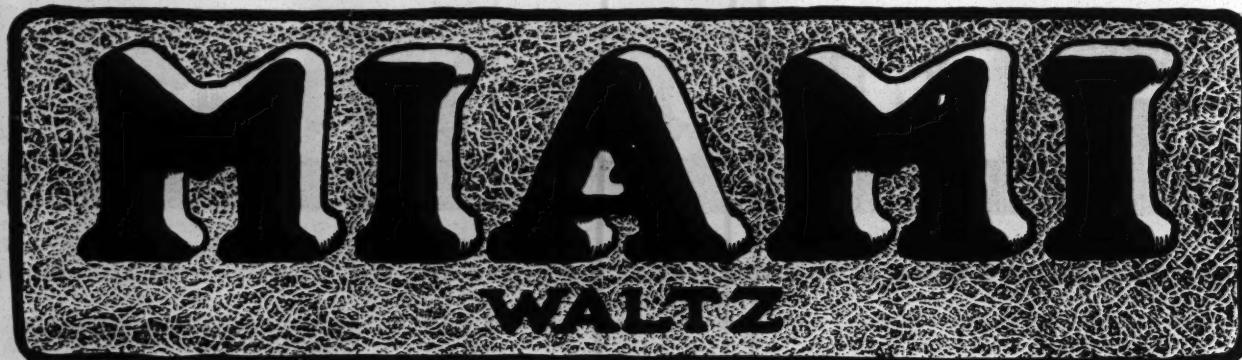
JIMMIE McHUGH,
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WATCH IT GROW!

ON

SHORE



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 EASY TO SING—EASY TO LISTEN TO
 SINGING ACTS SING IT—DANCING ACTS DANCE IT—MUSICAL ACTS PLAY IT—DUMB ACTS WORK BY IT. COPIES AND ORCHESTRATION NOW READY
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Haunting, Dreamy, Sensational ♫ SWEET ♫ Waltz Song Success

HAWAIIAN MOONLIGHT

Chicago

McKINLEY MUSIC COMPANY

New York

EDDIE STONE and his Jazz Band has been engaged by Ray Walker for Elsie Mains' new act.

GILBERT GREGORY is seriously ill at the Presbyterian Hospital, New York. His son is being looked for by the International Y. M. C. A.

LOUIS HALLETT, after three weeks on the road as business manager of "La La Lucille", has returned to town.

JANE WHEATLEY has been engaged to appear in "The Wayfarer".

IVAN CARYLL will conduct the orchestra at the opening performance of "Monsieur Beaucaire".

HATTIE FOX joined the cast of "Linger Longer Letty" on Monday night.

EDWARD ELLIS has been engaged for the leading role in "Shavings".

LILLIAN LEITZEL opened in the "Midnight Frolic" on Monday night.

RALPH EDMONDS is now publicity man for Billie Burke in "Caesar's Wife".

FRED. DALTON has been engaged for a part in "The Whirlwind".

PERL LEWIS EVANS, a member of "The Daughter of the Sun" company was taken ill last week with appendicitis while appearing at Fredericksburg, Maryland, and removed to the hospital there.

JEAN REBERA, lately of the chorus of "The Magic Melody", Wilner and Romberg's attraction at the Shubert Theatre, has been taken out of the line and given a small part.

JANSEN the GREAT will tour the South next season at the head of his own company.

OLAF SKAVLAN, of "The Eyes of Youth" company, is being sued for alimony by Edna M. Skavlan.

LIZZIE B. RAYMOND has a new sketch entitled "Welcome Home".

C. CARROLL CLUCAS, who has been in London playing with Billy Reeves in vaudeville, returned to New York last week.

MERLE MARTWELL has been engaged for G. M. Anderson's "Frivolities of 1919".

MABLE WITHEE and LOUISE KELLY have rejoined the "Flo Flo" road company, opening Monday in Washington.

KATE MORGAN has been engaged for a role in "The Mood of the Moon" a forthcoming Shubert production from the pen of Cleaves Kinhead.

GLADYS LANE, who played in vaudeville several seasons ago, has returned to the stage and is appearing in the role of Delphine in "Maytime". She was understudying Grace Stodford and took over the role last week at the Auditorium, Baltimore, when Miss Stodford left the cast.

GEORGE MAYO and Irving Irwin have just been signed for the new Herman Timberg show, "What's Next".

DORA HILTON arrived in New York last week and is breaking in a new single.

AL STRAUSS has returned to the Eighty-first Street Theatre as stage manager. He left several weeks ago to accept the stage management of the Hamilton Theatre.

ABOUT YOU!! AND YOU!! AND YOU!!

REED HAMILTON is playing the lead for Patricia Colinge in "Tillie".

WILLIAM DAILEY, formerly advance agent for the Fanchon and Marco Revue, "Let's Go", is back at his old job in the A. & H. booking offices, San Francisco. Jack Tripp succeeds him as advance agent.

ROY BURTON, formerly Mrs. Al H. Burton, was married on Nov. 26, to John Bruce Edwards, a non-professional.

MRS. JAMES THOM, known to the stage as Florence Kane, wife of the manager of Keeney's Theatre, Brooklyn, is back home, well again, after a year in the hospitals of the city.

J. MARCUS KEYES, head of the Actors' Equity League Association in Chicago, was married recently to Miss Christiana Kyle. The bride has been seen in pictures.

MARIE ELMER has lost her mother, who died last week in Coaticook, Quebec, after an illness of three weeks.

EVETA KUNDSMAN replaced Jean Stuart in the role of Jewel in "The Unknown Purple", last week, in Philadelphia, while Miss Stuart was ill.

EDWARD LONG, manager of The Shubert Theatre, lost his two-and-a-half year old son last week.

MARIE LOUISE GOMBIER, who decorated by the Allied Governments for bravery during the recent war, has been engaged by Corey and Stark for "The Grass Widow".

CHARLES EMERSON COOK has been engaged as press representative for the "Wayfarer" production.

CALVIN THOMAS has been engaged for William Collier's company of "The Hottentot".

MARK LUESCHER has been appointed publicity man for the Sixth Avenue Board of Trade.

FRANCIS PIEROT has joined the cast of "Nothing But Love".

ROBERT A. LOTHIAN, an actor, was arrested on a charge of grand larceny last week on the accusation of John Holliday, another actor.

ABE LEVEY left for a two months rest in California last week.

CHARLES WITHERS is now the "Follies Marigny" in Paris.

HAROLD VIZARD has been engaged for Victor Herbert's "My Golden Girl".

BESSIE MCCOY DAVIS, Bernhard Granville, Jimmy Watts and Rosie Quinn have been engaged for the new Century Roof show.

DAISY JEAN had a decision rendered against her last week whereby she must pay a judgement of \$175 and costs to Frances, Sinclair and Megerlin, for money loaned her.

CLINTON and ROONEY have been signed by Lawrence Schwab for his new vaudeville act "Last Night".

MIKE McDONALD has joined Frank Lawlor's "Aviator Girls".

ANNE JAGO has been engaged as soloist at Moss' Broadway.

TESSIE LORRAINE has left stock for motion pictures.

FAR AND FARLAND, one of the most popular of the English music hall teams, are to appear in this country for a vaudeville tour. They will open at the Palace Jan 5th. James Fitzgerald will bring the act over.

FLORENCE GRENEGER, secretary to Kilbourn Gordon, press representative for William A. Brady, has resigned to be married. Dr. Earl Craig, a surgeon of Philadelphia, is the other party to the nuptials, which will take place New Year's Eve. Gladys Hoffman, formerly employed with the British Mission, will take Miss Greneger's place at the multigraph.

BERT ERROL, for some time a popular singer in England, will come to America next March for a tour of the Keith and Orpheum time. He will open in Toronto.

AL DOW and George Young are now associated with the Walter Plummer Agency, with offices in the New York Theatre building.

BELL AND EVA have made a formal complaint against a new girl act, "At the Soda Fountain," claiming that the latter has infringed upon their title.

MR. AND MRS. BILLY WILDE will soon appear in vaudeville with a new act. Wilde has been principal comedian with the Ben Welsh show.

THE AUSTRALIAN WOOD CHOPPERS, booked through the William Morris offices, have been signed for the U. B. O. southern time.

LAURA ARNOLD has been engaged as prima donna for "My Golden Girl".

BEILE STORY has returned to the Hippodrome after a weeks absence.

CAROL MCCOMAS is mourning the loss of his mother who died last week.

LYLE SWETE, the English stage director, sailed for England on Saturday.

HENRY E. DIXIE and William Ingersoll have been engaged for the cast of "The Way To Heaven".

SWAN WOOD, a dancer, opened in the "Rose of China" Friday evening.

CHARLES DORICKSON has returned to the cast of "The Greenwich Village Follies", having recovered from his illness.

IRENE FENWICK has been engaged for the leading role in "Curiosity".

"BOOTS" WOOSTER has been engaged for "The Purple Mask".

FLO LEWIS, Hattie Darling, Pearl Eaton, Gertrude Fitzgerald, Helen Birmingham, Jay Gould, George Mayo, Irving Irwin and a chorus of thirty, have been signed for Herman Timberg's production, which opens in January.

CHARLES CARTERIS is being sued by his wife, Korrine, for separate maintenance and a division of realty holdings worth \$100,000.

MAXINE ELLIOT is rehearsing a play called "Trimmed in Scarlet", produced last Summer in London with Irene Vanbaugh in the leading role.

D. D. KELSEY has resigned as manager of the Feiber and Shea theatre in Erie, Pa.

MIDGIE MILLER replaced Beatrice Curtis in Roscoe Ailes act. Miss Curtis has been signed for the "Midnight Frolic".

JOE BRENNAN, Irish comedian, has been booked for a tour of England beginning about June 15th.

MARTINETTI AND SYLVESTER have re-united after a five year split. They will start work immediately.

REGINA WALLACE is in the cast of the new play by May Tully which Lewis J. Selznick is to produce, and which Lawrence Marsden is rehearsing.

JACK PRATT is no longer doing press work for the Billie Burke show.

PRESTON GIBSON is writing a new play for production by David Belasco.

S. T. BEVANEY, also known as Devaney, who, with his sister, was arrested some time ago for play pirating, was sentenced to a day in jail, last week.

MICHAEL and VERA FOKINE, the Russian dance artistes, will make their first public appearance in America at the Manhattan Opera House on December 30, under the management of Morris Gest.

FRED HALLEN, of Hallen and Fuller, who, years ago, became famous with the team of Hallen and Joe Hart, is seriously ill at the Post-Graduate Hospital, suffering from a complication of diseases.

MERCEDES has been booked for a full week at all of the Moss houses in New York.

GITZ-RIC, soldier composer, is preparing a girl act in which he will be supported by six girls.

LAURA GUERITE sails on the 21st for England to appear in a production there.

ARTHUR KELLAR has been appointed business manager for William Hodge.

HARRY TIGHE is framing a new act with Alma Francis.

MARGERY KETRICK has resigned from the Comstock and Gest publicity department to become private secretary to Geraldine Farrar.

BRANDON R. DOUTH has been discharged from the Army. He recently returned from Siberia.

NED DANDY has changed the name of his vaudeville sketch from "The Voice Brokér" to "A \$1,000 Note", and will open it on the Keith time this week.

ELMER TENLEY arrived in New York on Monday after a week in Chicago on business.

JOHN P. MARTIN has been confined to his home for a week with a bad cold.

ARTHUR LYONS is now booking the Sunday night concerts at The Central and Winter Garden Theatres.

ROXINE LANSING has been engaged by Harry Clay Blaney, for some special work with the Yorkville Players.

CLARICE CALLAN, Leonore Rogers, Selma Aaronson, Evelyn Dean, Anne Kramer, Marjorie Heims and Bobs Ackerman, have been engaged for "The Grass Widow".

A SENSATION!

THAT'S ALL!

THE
VAMP
 VAMP A LITTLE LADY

By BYRON' GAY Composer of "Sand Dunes"

GET IT BEFORE IT GETS YOU!

'TWILL CHARM YOUR HEART

GET IT TO-DAY

**I Know What It Means
 To Be Lonesome**

(I'M LONESOME, SO LONESOME FOR YOU)

By Kendis, Brockman and Vincent

You'll Love It's Rare Melody

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GOLDEN GATE

Gets The Kind of Applause That Thrills You Through and Through

By KENDIS & BROCKMAN, Writers of "Lonesome" and "Bubbles"

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Globe Theatre BuildingSAN FRANCISCO
Pantages Theatre BuildingMINNEAPOLIS
Lyric Theatre BuildingNEW ORLEANS
115 University Pl.CHICAGO
Grand Opera House BuildingSEATTLE
301 Chickering HallST. LOUIS
Calumet BuildingCLEVELAND
Ellastone Building

LEO FE
711 Seventh Ave

A Stone's Throw from the Palace Theatre

The Wonder Novelty Song

FRECKLES

Words by Cliff Hess and Howard Johnson

Music by Milton Ager

EVERY ARTIST WANTED EXCLUSIVE RIGHTS TO THIS ONE

RELEASED!!

The Big Song Hit From "The Better 'Ole"

When You Look In The Heart of a Rose

The Song Hit of That Famous Show Hit

By Marian Gillespie and Florence Methven

The Warmth of the Sunshine, the Charm of a Smile

By The Campfire

A Wistful Melody with a Lure That is Fascinating

Words by Mabel E. Girling

Music by Percy Wenrich

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Gayety Theatre Building

MILWAUKEE,
134 Grand Avenue

PROVIDENCE
511 Ceasar Misch Bldg.

LOS ANGELES
836 San Fernando Building

BUFFALO
485 Main Street

PITTSBURGH
312 Camerphone Building



Government Files Brief In Vaudeville Probe. (Continued from Page 15)

say that the artist is going to work for Loew of the Pantages Circuit or maybe the Orpheum Circuit, telling them that if they do not pay the fifty or seventy-five dollars more the act will leave them. If they feel that the act has the drawing power of strength they concede to my request and I immediately route the act.

Q. These gentlemen around the table generally agree with you as to what the act is worth?

A. No; I try to make them believe it and I am pretty successful.

Q. They eventually agree as to what it is worth?

A. Yes, eventually.

Q. And then that is generally the established price of that act as I understand it?

A. As a rule, if an artist is asking for \$250—or let us take \$1,000, to make it easier—they will say: 'We will give it ten weeks at \$1,000 and ten weeks at \$900—ten weeks at the smaller towns at \$900, like Dayton and Toledo and Grand Rapids that can not stand \$1,000' and so we give them 20 weeks, ten at \$1,000 and ten at \$900. And then I try to get the artist to sign the contracts that I procure from the different managers after the salary has been set. I might be obliged to go to each individual manager and get his week. They do not give me a routing for all the time. I have not to route that act. For instance, I have to go to Mr. Darling and get his big four or five weeks in New York and then Mr. Jordan and then Mr. Shallenberger in Baltimore—call him up and get his act, and then go back and get Mr. Darling, who books Washington and arrange with Harris for Pittsburgh, etc.

Q. And around the table it is established how much money the actor is to get for that period of time?

A. Yes, sir.

Q. What does the secretary take down?

A. Oh, if there is any dispute—he takes down the minutes of all of the meetings. I do not know what it is, but he is there. Mr. Hodgdon, you know, is a very busy man.

Q. When this conference gets through with you and you have discussed these matters with them, do you stay there or go out?

A. No, sir; I have to leave, and they let in another artists' representative or either an artist who may be waiting.

Q. And they go through the same negotiations?

A. Yes, sir; the same negotiations.

The disadvantage under which theatres which have to pay the U. B. O. franchise fee are placed is apparent, and this demonstrates the necessity of divorcing the business of booking performers upon commission and the operation of theatres. The U. B. O. by serving the theatres in the Keith Circuit and affiliated circuits without compensation, because it is owned by the same interests, and by charging theatres outside these circuits a booking fee aggregating in normal business conditions approximately 25 per cent of the profits of the respective theatres, has necessarily lessened competition in the operation of theatres. This arrangement protects the theatre paying the franchise fee from competition, and perhaps from the standpoint of that theatre's financial interest, it is remunerative, but from the standpoint of public interest it is illegal.

PART V.—THE VAUDEVILLE COLLECTION AGENCY.

The Vaudeville Collection Agency is a corporation with capital stock of \$100,000, the majority of which is held by officers of the respondents, U. B. O. and V. M. P. A. the balance of the stock being held by members of the families of the majority stockholders or their associates. This always has been operated as a subsidiary of the U. B. O. and its successor, with substantially the same stockholders, officers and directors. The corporation has an investment of approximately \$1,500 in office furniture. The other assets of the corporation consist of good will, cash, notes receivable, etc. (Com. Ex. 28). Its fees earned in the year ending December 31, 1918, for making collection of the commissions due the personal representatives of the actors for whom the United Booking Offices secured engagements, aggregated \$107,465.93. During this year it paid for rent \$328.25, postage \$725.22, miscellaneous expenses \$579, taxes, including Federal income, \$4,146.09; general salaries \$3,486, stationery \$365.92, and gave to charity \$210. From the testimony of the witness Guglior, assistant secretary and treasurer (R. 390-426) it appears that he and one assistant ran the office, and that none of the chief executive officers gave any personal attention to the business; that the counsel for the corporation is paid \$10,000 per year; that A. Paul Keith in his lifetime drew a salary of \$15,000 per year as vice-president; that John J. Murdock drew a salary of \$15,000 per year

as secretary and treasurer, that E. F. Albee, the president, drew a salary of \$20,000 per year, and that \$30,000 was paid in dividends.

It collects from the various theatres in which performers appear, whose engagements are secured through the joint efforts of the Booking Exchange and the actor's unlicensed representative, 5 per cent of the actor's salary, which is in addition to the 5 per cent retained by the Booking Exchange, or the maximum amount allowed by law for licensed persons who secure engagements for actors. This additional 5 per cent of the actor's salary, which is intended to compensate the unlicensed person who represents the performer, for performing the same services that the booking offices makes a charge for, when collected by the Vaudeville Collection Agency, is turned over to the actor's unlicensed representative, less collection charges, if any. For this service it makes no charge to certain favored persons. Others less-favored pay 20 per cent or 33 1/3 per cent of the amount collected, the average charge being about 45 per cent. It collects in the course of a year over \$200,000 and the total office expense for conducting the agency is less than \$6,000.

On June 25, 1910, there was approved by the Governor of New York an act of the legislature amending the law governing employment agencies. It contained the following provisions:

"The term 'Theatrical employment agency' means and includes the business of conducting an agency, bureau, office, or any other place for the purpose of procuring or offering, promising, or attempting to provide engagements for circuses, vaudeville, theatrical, and other entertainments or exhibitions or performances, or of giving information as to where such engagements may be procured or provided, whether such business is conducted in a building, on the street, or elsewhere."

Then follows definition of other terms and a provision that to operate such an agency a license must be obtained. Section 1856, provides:

"The gross fees charged by such licensed persons to applicants for vaudeville or circus engagements by one or more such licensed persons, individually or collectively, procuring such engagements, shall not in any case exceed 5 per centum of the salaries or wages paid. X X X"

Then follows provision prohibiting the receiving by such licensed persons or any valuable thing or gift as a fee or in lieu thereof, and making it a misdemeanor punishable by fine or imprisonment or both to violate any of the provisions of the law.

Prior to the passage of this amendment, all personal representatives of actors had been licensed under the employment agency law theretofore in force, as theatrical employment agencies, but as the amendment made it impossible for two or more licensed persons representing the same actor to charge in the aggregate more than 5 per cent of the actor's salary, these personal representatives, so-called, then surrendered their licenses as employment agencies and proceeded to represent the actors in exactly the same way that they had been representing them and performing for them exactly the same service that they had been performing prior to the passage of the amendment but changing from a licensed agency to an unlicensed operator, with the knowledge and consent of the booking office which always has been licensed as a theatrical employment agency; for these unlicensed personal representatives, can not operate at all without authority from the booking office, which frequently exercises its authority in the premises by denying these unlicensed persons 'the privilege of the floor' of the booking offices. The booking office was thus enabled, through the instrumentality of its subsidiary, the Collection Agency, to recover a portion of the actor's salary in addition to the maximum amount of commission authorized by law.

PART VI.—VARIETY.

The respondent, Sime Silverman, is the owner and editor of the weekly publication known as "Variety." This publication has been first on one side then on the other of the various controversies between the managers and actors, but in March, 1917, an editorial appearing in the issue of March 30 (Com. Ex. 35) contains this announcement:

"We didn't have to sell out to the managers. We gave ourselves to the managers. It didn't cost them a dollar. We didn't even ask for an offer. We just handed ourselves, from the first page to the last page of Variety, to the managers, as against the White Rats."

As an evidence of the appreciation in which this editorial stand by "Variety" was held by various respondents, it appears that immediately the members of

the respondent V. M. P. A. were requested to patronize the advertising columns of "Variety" in a letter (Com. Ex. 12) sent to each member by the manager. The letter was as follows:

"Vaudeville Managers Protective Ass'n, Columbia Theatre Building, 47th St. & 7th Avenue, New York, N. Y.

April 11, 1917.

Dear Sir:

The first or second week in May 'Variety' is issuing a special Anniversary Number for the National Vaudeville Artists.

We are with 'Variety' strong on this idea as we think it will be of immense benefit to the N. V. A. at this time, and we would ask you to cooperate by giving 'Variety' an advertisement for that issue, saying something to the effect you congratulate the N. V. A. on its first birthday and that you as well as all reputed managers are pleased to see in the N. V. A. and the V. M. P. A. the birth of a perfect and friendly understanding for peaceful times between the artist and manager, or of course, something along the same lines you may

We think the effect of this managerial announcement will be very beneficial in the furtherance of friendly relations and hope you will forward your copy to 'Variety' at your very earliest convenience, also advising us you have done so at the same time, so that we may know the V. M. P. A. will have a full representation in the N. V. A. Anniversary Number.

'Variety' is going to devote a great deal of space that week to the formation, growth, policy, aims and future of the N. V. A.

Very truly,

Pat Casey."

At about the same time the respondent, National Vaudeville Artists, Inc., requested its members to patronize the advertising columns of "Variety," and the publisher of "Variety" was given the names of all members so that he might mail to each member a circular letter bearing the facsimile of the signature of the Secretary of the N. V. A. containing the request of the secretary that the members advertise in "Variety." There is some claim that the original letter prepared was not sent to all members of the N. V. A. because it contained some objectionable matter, but the secretary admitted that he authorized the use by "Variety" of a letter substantially like that sent out. The letter (Com. Ex. 34) was as follows:

"NATIONAL VAUDEVILLE ARTISTS INC., 1587 Broadway, New York City.

April 12, 1917.

Dear Member:

The National Vaudeville Artists will celebrate its first Anniversary May 11th. In one short year your organization has developed a strength of more than 5,000 members, carrying on its roster more than 95 per cent of the best acts in vaudeville.

In order to make the event noteworthy we have procured the co-operation of 'Variety' and on that date 'Variety' will issue a special edition dedicated solely to the first birthday of the N. V. A. organization.

Many members have signified their intention to express their loyalty to the organization through placing an advertisement in that edition and we would like to see every member represented through an announcement of some sort. We particularly wish to see you represented because of your standing in the profession and such advertisements will definitely assert the strength and influence of the N. V. A. organization.

Send your advertisements direct to 'Variety' (any amount you wish) as we have arranged to have it carefully looked after.

Please advise us at the same time so that we may know we have a full representation in our special number.

Fraternally,

HENRY CHESTERFIELD."

Mr. Harry Weber, who is one of the unlicensed personal representatives of vaudeville attractions, who secure theatrical engagements through the respondent B. F. Keith Vaudeville Exchange, also requested of the performers represented by him to advertise in "Variety." The letter (Com. Ex. D 3-27) sent to each of said performers was as follows:

"HARRY WEBER,

New York, N. Y.

February 26, 1917.

Dear Friend:

March the 16th is the Third Anniversary of my office and I am desirous of asking you and all the rest of my acts to take space in the 'Variety' that week, making an expression in which you will mention that I am your Repre-

tative and at the same time bring your name in a big way before the Managers, which I assure you will be of mutual benefit at this time.

I ask you this as a favor, as I would like to make as big a showing as possible, on account of this being my Third Anniversary and I have obligated myself to take Thirty Pages at \$125.00 each. I am asking the performer to pay \$115.00 and I will pay the balance.

Will you please send in your copy for the AD at once and specify as much space as you want, which will facilitate matters on account of the short space of time before this issue goes to press. With a view of receiving your cooperation in this move, I am

Very truly yours,

(Signed) Harry Weber."

The relation of "Variety" with the other respondents and its influence generally in vaudeville is discussed at some length by the witness Fogarty, (R. 1254-1262) and the conclusion is reached that if a statement appeared in "Variety" that a performer or a theatre was blacklisted such information would be generally regarded as authentic and would have a bad effect, and the managers would not employ such alleged blacklisted actors to appear in any theatres and actors would not want to appear in such alleged blacklisted theatres. In the issue of July 20, 1917, of "Variety" (Com. Ex. 49) the following appears as a news item:

"X X X

"The managerial 'Black List' remains in the same condition as previously. The list is being watched carefully. Also all bookings. Up to date there has been no move of any kind made to either lift or ease up the list.

"Names are continuously being added to the 'Black List' according to reports from artists playing in theatres prescribed by the V. M. P. A. on account of not being booked through agents recognized by that association. Among these houses, it is said, are the Grand Opera House, New York; Fay's Providence, and Mountain Park, Holyoke, Mass. Among the agencies listed according to the report, are the Sheedy agency, the Byrne and Kirby, although the Gordon Houses booked by Sheedy are members of the V. M. P. A. and acts playing those theatres do not come under the Black listed classification. Other agencies which booked 'White Rats' acts during the strike trouble of the Rats organization are also looked askance at by the Managers Association.

Much comment is being passed around as to the probability of a loosening up of the 'black list.' Now in the summer, with not many houses open, there is not the tension through the restrictive list that otherwise might be felt, although the booking men of the better grades of vaudeville bills claim there are not over twelve really desirable acts that would find themselves in constant demand upon the list. One blacklisted actor who formerly owned a girl act is reported to be driving a taxi-cab in New York.

Opinion varies somewhat as to the retention of the 'black list' in its entirety. Some say they can not see the advantage of it, now that the 'Rats' are through, and there is often the assertion the managers are taking the opportunity to impress a lasting object lesson upon those who knowingly brave the danger of openly antagonizing the managers in attempting to create and continue trouble, but the general opinion among those who appear to have a better understanding of conditions than most who talk on the subject say some means should be taken to relieve those not actually deserving of being permanently 'black listed,' while certain others, the inciters and trouble-makers, should be left black-listed as a standing danger signal.

As far as the managers connected with the V. M. P. A. are concerned, it is reliably reported they have not even conferred on the matter of removing the blacklist nor has there been up-to-date a substantial suggestion among any of them toward that end."

PART VII.—THE BLACK LIST.

When "Advanced Vaudeville," so-called, was launched in 1907 by Klaw & Erlanger and their associates, performers who played in theatres playing "Advanced Vaudeville" were notified by officers of the United Booking Office, that they were on the "Black List." (R. 1365-1384.)

The witness Aldrich testified (R. 462-481) that because he had played in "Advanced Vaudeville" in 1907 he was blacklisted by the United Booking Offices, and that when the United Booking Offices took over the business of "Advanced Vaudeville" he was unable to get employment in America because of the black list and went to England.

In a letter written March 17, 1911 (Com. Ex. 11) from the office of the Pat Casey Agency, the stock of which is held by Pat Casey, manager of the V. M. P. A., the statement is made and offering the same salaries that they paid them prior to their going on the Morris Circuit (Advanced Vaudeville).

From the testimony of the witness Fitzpatrick (R. 1916) it appears that Alexander Pantages, a director of the V. M. P. A., admitted that there was a black-list. At first he characterized it as a list of undesirables, but stated "What's the use arguing about it. Yes, of course, we all understand—what it is—a black list."

The witness Casey, manager of the V. M. P. A. testified (R. 43-45) that a list of vaudeville acts like Commission's Exhibit 5 was prepared in his office at his instance for the purpose of advising different booking offices as to the character of the people on the list. The acts whose names were on this list were characterized by the witness as irresponsible and could not be depended upon.

The witness Quigley testified (R. 1302) that in February, 1917, Mr. Casey, the manager of the V. M. P. A., inquired of him in Boston whether he was booking any acts who were "White Rats." The witness replied that he did because he did not know who were and who were not "White Rats." Mr. Casey mentioned a black list and offered to furnish a copy of it, which he sent in the mails with a letter which witness identified, and the same was introduced in evidence as Commission's Exhibits "P" and "Q."

The witness Bulger testified (R. 1514) that in February, 1917, Pat Casey, manager of the V. M. P. A., stated to him that he was on the black list for having been a member of the "White Rats," making speeches in Boston and paying strike levies to the "White Rats," and that since that time he had been able to secure contracts for appearances in vaudeville theatres for only 3½ weeks.

Helen Nelson, in her deposition taken March 14, 1919, testified that in September, 1919, while the team, Keough & Nelson, of which she was a member, was playing in a vaudeville theatre at Elmira, New York, having been booked by an agent operating through the U. B. O., they were notified that the engagement for the following week at White Plains, New York, was cancelled. The team, however, went to White Plains and reported at the theatre and were informed by both of the stage manager and the manager of the theatre that the act was black listed and could not play the engagement. The United Booking Offices were gotten on the telephone and that office refused to permit the engagement to be played, stating the act was black-listed; that in November, 1916, the team had contracts to play four weeks in theatres in the Poli Circuit. After the first week was played they were informed that they were blacklisted and could not play the balance of the engagements, and for them to take the matter up with Pat Casey, manager of the V. M. P. A. They called on Mr. Casey, who informed them that they were black-listed, and that the managers would take advantage of the cancellation clause in the contract. When asked if there was anything they could do to enable them to play the engagement, Mr. Casey stated that they should resign from the "White Rats." Mr. Keough stated he was a life member. Mr. Casey requested him to call the next day. Upon their return they were unable to see Mr. Casey but saw a Mr. Bradley, who stated he was an attorney for the V. M. P. A. He also requested Keough to resign from the "White Rats," which Keough agreed to do and Bradley prepared a form of resignation which Keough signed. The Act then played one week in Hartford and New Haven, and at the end of the week received a letter from Mr. Casey cancelling the balance of the engagements. They then returned to New York and attempted to see Mr. Casey but were unable to see him and talked with his Assistant Mr. Lee, who informed them that the reason they could not play the balance of the time was that they were on the black-list.

The team, Keough & Nelson, then applied for engagement at the booking offices of the Fox Circuit, the theatres of which are members of the V. M. P. A., and were informed by Mr. Allen, who was in charge of the office, that they were blacklisted and that he could do nothing for them. They then applied for work at the booking offices of the Pantages Circuit, the theatres of which are also members of the V. M. P. A., and were informed by Walter Keefe, who was in charge of the office that "There is not a chance; you are on the blacklist, and besides you are a 'White Rat.'" Keough stated he had resigned from the "White Rats." Mr. Keefe stated that there was a meeting of a committee of the V. M. P. A. consisting of Messrs. Albee, Murdock, Moss, Schenck, Casey and himself at which it was decided that Keough should be kept on the list and not given engagements. In January or February, 1918, they applied for work at the office of Harry Spingold, who books attractions

through the Western Vaudeville Association, affiliated with the V. M. P. A., and was informed by Mr. Spingold that he could do nothing for them as they were blacklisted and had applied at the offices at Decatur, Illinois, and Milwaukee, Wis. They then applied at the offices of another agent at Chicago, Frank Doyle, who informed them he could not play them if they played for \$1.50 a week, for they were on the black-list.

From Commission's Exhibits No. 84, 85, 86, 88 and 9, which are letters, bearing dates between February, 1917 and April, 1918, from unlicensed representatives of performers who represent performers in booking offices employed by theatres which are members of the V. M. P. A., a very clear idea of the effect of the managerial black-list of actors can be had and the difficulties of getting off such black list.

There are numerous other exhibits which relate to the black-list of actors prepared by the V. M. P. A., and its affiliations, and there are numerous other references to it in the testimony of witnesses, but the exhibits and testimony herein referred to are perhaps fairly representative of the whole and sufficient to give the Commission a clear idea of the black-list and how it worked, and a further description of the exhibits and evidence would be merely cumulative.

PART VIII.—INDEPENDENT VAUDEVILLE THEATRES.

In addition to the theatres which are actual members of the V. M. P. A., nearly every circuit or theatre owner constituting the membership of the V. M. P. A. owns or operates other theatres than those designated as members of the V. M. P. A., but such non-member theatres are booked in connection with the member-theatres and are under the same general management as the member-theatres, and are therefore as much a part of the illegal combination, described in the complaint, as if they were actual paying members in the V. M. P. A.

In Commission's Exhibit 7, as noted before, the Vaudeville Managers Protective Association, stated that that association comprised the owners and managers of every important vaudeville house in the United States. The advertisement might also have stated truthfully that that association also included practically every unimportant vaudeville house in the United States. The only semblance of a circuit of theatres outside the combination is that operated by the Arcadia Amusement Company, which applied for permission to intervene herein. This circuit includes Fay's theatre at Providence, R. I., Fay's theatre at Rochester, New York, and the Knickerbocker Theatre in Philadelphia, Pa. The difficulties encountered in securing performers to appear in these theatres prior to the issuance of the complaint herein, are described in the testimony of the witness Fay (R. 643-688, 702-746) and the testimony of the witness Sheedy (R. 2352-2404). These difficulties consisted generally of the cancellation of contracts by performers who were booked to appear in Fay's theatre when it became known to them that the house was on the managerial black-list. A great many acts agreed to appear only on condition that they be given assumed names on the billing, which took away from the acts whatever drawing power it had, and this made it extremely difficult to secure any but inferior acts. When an act of established reputation would consent to appear in Fay's theatre they demanded larger salaries than were paid in other theatres, and that this continued up until about the time the complaint was issued, but since the complaint was issued the difficulties have been less.

The difficulties are further described in news stories appearing in "Variety," issues of November 9, 1917 and October 19, 1917 (Com. Ex. Nos. 51-52) to the effect that the managerial black-list was materially added to the previous week; some for appearing in "outlaw" theatres under assumed names; that to do so convicted them immediately and they were then black-listed under their right names; that Fay's theatre was in bad; that he had booked the Cora Youngblood Corson Sextette as "Florence Livingston and her Oklahoma Prodigies"; that the managerial black-list still exists against the Corson Sextette; that when the black-list was generally removed some weeks ago, the name of the Corson Act was allowed to remain on the list indefinitely; and that the playing by Fay of the Corson Sextette likely eliminated that house from any further consideration for membership in the V. M. P. A.

The witness Fay testified (R. 653-660) concerning his application to the V. M. P. A. for admission as a member of his conference with Mr. Casey, the manager of the Association, stating that Mr. Casey informed him that if he would change his booking arrangements he could become a member; that Mr. Casey suggested that he book through the Gus Sun Agency of Springfield, Ohio, an agency operated by a director of the V. M. P. A.; that he continued to book through the Sheedy Agency and his application for

membership in the V. M. P. A. has never been accepted.

THE LAW OF THE CASE.

Section 5 of the Federal Trade Commission Act declares that unfair methods of competition in commerce are unlawful. The Commission is authorized and directed to prevent persons, partnerships, and corporations from using unfair methods of competition by issuing complaints whenever it has reason to believe that persons, partnerships, and corporations have been, or are, using unfair methods of competition. In the complaint issued by it, the Commission is required to state its charge and if upon hearing provided for the Commission shall be of the opinion that the method of competition in question is prohibited by the act, it makes a report, stating its findings as to the facts, and issues an order requiring the respondents to cease and desist from the use of such methods of competition.

The power and authority of the Commission with reference to the prevention of unfair methods of competition is discussed in the opinion of the court in the case of Sears, Roebuck & Company vs. Federal Trade Commission, C. C. A., Seventh Circuit, not yet officially reported. HELD:

"On the face of this statute the legislative intent is apparent. The Commissioners are not required to aver and prove that any competitor had been damaged or that any purchaser has been deceived. The Commissioners, representing the Government as *parens patriae*, are to exercise their common sense, as informed by their knowledge of the general idea of unfair trade at common law, and stop all those trade practices which have a capacity or a tendency to injure competitors, directly or through deception of purchasers, quite irrespective of whether the specific practices in question have yet been denounced in common law cases. **X X X** "But such a construction of Section 5, according to petitioner's urge, brings about an unconstitutional delegation of legislative and judicial power to the Commission. Grants of similar authority to administrative officers and bodies have not been found repugnant to the Constitution (citing cases)."

"With the increasing complexity of human activities, situations arise where Governmental control can be exercised only by the 'board' or 'commission' form of legislation. In such an instance Congress declares the public policy, fixes the general principles that are to control, and charges an administrative body with the duty of ascertaining within particular fields, from time to time, the facts which bring into play principles established by Congress. Though the action of the Commission in finding the facts and declaring them to be specific offenses of the character embraced within the general definition by Congress, may be deemed to be quasi-judicial, it is so only in the sense that it converts the actual legislation from a static into a dynamic condition. But the converter is not the electricity. And though the action of the Commission in ordering desistance may be counted quasi-judicial on account of its form, with respect to power it is not judicial, because a judicial determination is only that which is embodied in a judgement or decree of a court and enforceable by execution or other writ of the court."

Congress has not undertaken to define the term "unfair methods of competition," nor has it compiled a schedule of methods that shall be deemed unfair.

Counsel for Warren, Jones & Gratz, in their petition to review the order of the Commission, recently decided by the U. S. C. C. A., Second Circuit, contended that unfair methods of competition must be limited to acts which violate the Anti-Trust Acts, but the court in that case held he unfair methods of competition within the meaning of the provisions of Section 5 of the Commission Act, were not restricted to such as violated the Anti-Trust Acts; that the act particularly applied to acts which, if not prevented, will grow so large as to create illegal competition and create a monopoly in violation of the Anti-Trust Acts. Do the facts proven disclose a combination or conspiracy to restrain or monopolize any part of interstate commerce?

In the case of H. B. Marienelli, Ltd. vs. Booking Offices, et al. 227 Fed. 165, the following contention was established:

(1) Contracts made by theatrical companies, under which performers must go from State to State, throughout a circuit of theatres, acting here and there, and fulfilling their contracts as much by the travel as by the acting, are contracts of interstate commerce.

(2) The business of theatre owners, and booking offices, which involves the booking of performers, requiring such performers to pass from theatre to theatre, and from State to State, taking with them certain paraphernalia and stage properties, constitute interstate commerce, as does the transportation of photographs and advertising matter

used in billing such performers.

(3) A combination of owners of theatres scattered over the United States and their booking offices, to black-list performers and theatres, which results in a monopoly, is within the prohibition of the Sherman Act.

(4) A combination between a number of vaudeville theatres and their booking agents, the purpose of which is to keep all first-class performers for such theatres, refusing to allow them to act if they act in other theatres, and refusing to allow other theatres to employ their performers if they employ other performers, is in restraint of commerce, where outside of the circuits of theatres in the combination first-class performers can not obtain sufficient employment in the United States and Canada to enable them to make a living, as the necessary inference is that if successful, the parties to the combination will control all first-class performers and monopolize the supply, and thus control the business.

(5) Whether the Acts in pursuance of the combination, are themselves a part of interstate commerce, is immaterial, for the illegality arises from the project or plan as a whole, and the performance innocent without it, takes its color from its setting. The rules regulating original conspiracies obtain in such cases.

Counsel for all respondents except Silverman, contend in the motion to dismiss (R. 28-35) that none of the said respondents are engaged in commerce, and for that reason, among others stated, the complaint should be dismissed. This same contention was made and overruled in the case of Loewe vs. Lawler, 208 U. S. 274. The opinion of the court on this point is reflected in the syllabus, which reads as follows:

"A combination may be in restraint of interstate commerce and within the meaning of the Anti-Trust Act, although the persons exercising the restraint, may not themselves be engaged in interstate trade, and some of the means employed may be acts within a State, and individually beyond the scope of Federal authority, and operate to destroy intrastate trade as interstate trade; but the acts must be considered as a whole, and if he practices are to prevent interstate transportation the plan is open to condemnation under the Anti-Trust Act of July 2, 1890. Swift v. U. S. 375."

If it should be held that none of the respondents was engaged in commerce, that fact would not deprive the Commission of jurisdiction, but it is contended that the business of the respondent, B. F. Keith Vaudeville Exchange, constitutes interstate commerce, and that the business of the units composing the Vaudeville Managers Protective Association, some of which are made respondents, is also interstate commerce, and that the corporate entity, Vaudeville Managers Protective Association, while not itself engaged in commerce, its corporate machinery is utilized by the several units composing it, in the carrying out of acts of interstate commerce, in which the several units are engaged, and that said V. M. P. A. is a co-conspirator or agent of the other respondents, who are engaged in commerce.

Counsel for respondents further contend in their motion to dismiss that a combination in restraint of commerce, or a monopoly of the vaudeville theatre business of the United States is not an unfair method of competition within the meaning of Section 5 of the Commission's Act. It is submitted that a statement of the contention carries with it its own refutation, for a practice which violates any law, Federal or State, must carry with it the stamp of unfairness and illegality. It may be that when a monopolistic condition has been reached that in some cases a more complete destruction of the monopoly could be accomplished by a prosecution under the criminal provisions of the Sherman Act, or by a suit to enjoin or dissolve the combination. In this proceeding the necessary relief may be obtained, and most likely would be obtained, by a simple order against respondents, requiring them to cease and desist from the use of a black-list of actors and theatres, for when those who perform in vaudeville theatres can be assured that no such thing as a managerial black-list can be maintained, and that they can not be coerced into joining an actor's association dominated by the managers of theatres, then the "house of cards" which the units composing the V. M. P. A. have erected, will fall of its own weight.

No doubt much good could be accomplished by an act of Congress regulating theatrical employment agencies and providing that those who represent performers in theatres, upon a stated percentage of salaries earned, must be licensed by some federal agency; and obviously the system of charging performers a fee for obtaining employment in theatres operated by the same interests as those who operate the employment

(Continued on Page 30)

ELECTRIC SPARK

JOE J. FREED

LIVE WIRE

VERSATILE, ECCENTRIC COMEDIAN
 THEY CAME, THEY SAW, I CONQUERED. FEATURED NEXT SEASON ON THE COLUMBIA CIRCUIT WITH ONE OF
 JACOBS AND JERMON'S SHOWS. MANY THANKS TO MANAGERS FOR THEIR KIND OFFERS!
 GAYETY, BROOKLYN, THIS WEEK.

YULETIDE GREETINGS TO ALL MY FRIENDS
 UNDER PERSONAL DIRECTION IKE WEBER

A GOOD MAN WAS HARD TO FIND, BUT THEY FOUND ME

Very
Versatile
Eccentric
Comic

SAM RAYNOR

With Mischief Makers — Gayety, Brooklyn, this Week

I Sing - I Dance - I Play Saxophone -
 I Bump - I Flip Flap - I'm an Acrobat -
 I'm Funny -

STARS OF BURLESQUE

This Space
Reserved by

LEW LEDERER

With AVIATOR
GIRLS

DANCING
INGENUE

MABEL McCLOUD

BEST SHOW
IN TOWN

PRIMA
DONNA

PEARL LAWLOR

BILLY WATSON'S
PARISIAN WHIRL

STILL
HERE

BOB STARTZMAN

RECORD
BREAKERS

VIC PLANT

WORKING?
CERTAINLY

BLACK FACE
AND
LEADS

JACK

Crawford & Humphreys

JACK REID'S
RECORD
BREAKERS

DASHING
VIVACIOUS
SINGING
SOUBRETTE

GERTRUDE BECK

JACK
REID'S
RECORD
BREAKERS

Season of 1919 20
MAX SPIEGEL'S
Social Follies Co.

MARGIE COATE

Thanks To
Mr. IKE WEBER

DOING
GREAT
THANK YOU

HARRY KOLER

COMEDIAN
KAHNS
UNION SQUARE

FROM FRISCO?
Yes, the Same
COMEDIAN

HARRY BERNARD

With
Crackerjacks

PRIMA
DONNA

VICTORIA KAY

At Liberty
See IKE Weber

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INGENUE

MARTHA WHITE

"OH
FRENCHY"
Co.

Hello Friends
Prima Donna

Marie Sheftells Abbot

Rose Sydell's
London Belles

Straight Man
with
Oh Frenchy

WALTER AUSTIN

Plaza
Springfield
This Week

**KAHN'S SHOW LAST WEEK
MADE UP OF BITS
WAS WELL LIKED**

A well filled house was at B. F. Kahn's Square Theatre last Friday afternoon. The show was in two parts, both staged by Joe Rose. He called the first part the "Man Haters." "On and Off" was the name of the burlesque. Both parts were made up of bits which were well taken care of by the principals. The numbers, which were put on by Solly Fields, were fast and prettily arranged. The girls in the chorus worked hard and did much to assist in getting the numbers over. They were a pretty lot and looked well in the different sets of costumes.

The comedy was handled by Rose and Harry Koler, the former doing his "Dutch," while Koler again put over his Hebrew role. Both of the comedians seemed perfectly at home in all they did, they worked nicely together and proved satisfactory to the audience. Sutton worked straight in the first part and

wears clothes well. In the burlesque he was a sheriff from the West, portraying the character in a truly Western way.

Eugene West is the new straight man who, succeeded Gibson after he closed here the Saturday before, to join a road show. West is a good talker, and, although he was not in many scenes, did himself justice.

Miss Lorraine was in most of the scenes and worked in them as she usually does, reading her lines and "feeding" the comedians nicely. She displayed a number of pretty gowns. Norma Bell handled her numbers well and got them over. Helen Adair did nicely in the scenes, looked pretty, put her numbers over and offered a good wardrobe. Grace Seymour kicked high, danced gracefully and offered her numbers so that they called for encores.

Babe Quinn was very successful with her "Dancing 'Neath Dixie Moon" number, assisted by the chorus. She did so well that they had to give two encores. She also introduced a pretty little dance during her number.

The "Woman Haters Union" bit was offered by Koler, Rose, Sutton and the Misses Lorraine, Bell, Adair and Seymour, and it went over well. The "diamond pin" bit was nicely put over by Rose, Koler, Sutton and Miss Lorraine. The "echo" bit pleased as done by Koler and West on the stage and Rose off stage. The "hat" bit was another that went over well as offered by Rose, Koler and Sutton.

A very pretty ballad which Fields staged, was cleverly worked out by the chorus, which finished with Miss Lor-

aine singing "Nightie Night." It was a pleasing number and the girls in their dainty costumes looked very attractive and danced gracefully.

The comedy quartette of Koler, Rose, Sutton and West worked a good share of laughs and sang well. Miss Bell's "In the heart of the Rose" number was very pleasingly rendered. It was also staged well and the electrical effects added much to its success. The "table" bit went over all right as put over by Koler, Rose, Sutton and the Misses Lorraine, Bell and Adair.

Miss Seymour's "Highland Scotch Mary" number was a success.

The "sucker" bit which closed the first part was very well done and the audience liked it, with Koler as the "sucker." The others in this bit were Rose, West, Sutton and the Misses Lorraine, Adair and Bell.

The first part went over with a bang. The second part was in four scenes, jumping from New York to London and back again. The bits were liked the way they were offered and the numbers all were well received.

Sid.

BURLESQUE NEWS

(Continued from Page 17.)

HOWARD E. RAY
PADEN and READ
Juvenile Featured Comedian
— With —
THE GREAT STAR AND GARTER SHOW
COLUMBIA CIRCUIT
INVITING OFFERS— MERRY XMAS TO ALL



HOWARD E. PADEN



RAY READ

WANTED A JAZZ BAND ACT
3 or 4 PEOPLE
One Who Does Strong Vaudeville Acts
Al Reeves

Casino, Phila., Dec. 8
Miners, Bronx, Dec. 15

B. F. KAHN'S UNION SQUARE THEATRE
STOCK BURLESQUE—CAN ALWAYS USE
GOOD CHORUS GIRLS
Only Good Lookers and good workers should apply. 52 weeks
a year. New York engagement. No Sunday work.
Salary, 20.00 Per Week
Most attractive engagement in show business. Apply in person only.
HOLIDAY GREETINGS TO ALL!

HY. JANSEN
Getting his share with the correctly named show "THE RECORD BREAKERS"
DOING STRAIGHT **BOBBY BURCH** FRENCH FROLICS
INGENUE **MARTHA RICHARDS**
Rose Sydell's London Belles
ED. JORDAN LEW KELLY SHOW
LEW KELLY says I'm a good black face comedian. What do you think?

AT LIBERTY! AT LIBERTY!
GLADYS SEARS
ON ACCOUNT OF MAX SPIEGEL'S "MABEL BE CAREFUL"
COMPANY, CLOSING.
ADDRESS: 414 WEST 42ND STREET, NEW YORK CITY.

COMIQUE ECCENTRIC **EDDIE SHUBERT** BURLESQUE REVIEW

LEW MARKS BROTHERS BERT
With Ed Lee Wrothe's TWENTY CENTURY MAIDS

ED GOLDEN
NOW WRITING BURLESQUE'S BEST SPECIAL SONGS. ALSO STAGING
NUMBERS. WITH RUSH'S CRACKER JACKS
Harry Dudley Esco Ives

SOUBRETTE AND ADA MORSE AL REEVES BIG SHOW
ARABIAN DANCER Offers Entertained for next Season

FAY SHIRLEY PARISIAN FLIRTS

DON TRENT
WITH WALDRON'S BOSTONIANS

The
Christmas Issue
 of
The New York
Clipper

The Oldest Theatrical Publication in America

Will Be Issued In
December

A display announcement in this number will be read by managers, agents, and producers the country over.

Everyone interested in the show business is interested in the Clipper. That's why Clipper advertising pays.

It is not a question of "Can you afford to be in it?" but "Can you afford not to be in it?"

Copy sent in early will receive preferred position.

Send Your Copy In Now

VAUDEVILLE BILLS
For Next Week

NEW YORK CITY

Riverside—Rooney, Bent & Co.—Joe Browning.
 Colonial—Chong & Moey—Eddie Ross.
 Alhambra—J. Hughes Duo—Fisk & Lloyd—Swor Bros.—Mrs. Sisters—Mabel McCann & Co.—Millard & Doyle—Clark & Bergman.

Royal—Ward & Van—Russel & Nolan—Mrs. W. Surprise—Nolan & Nolan—Recedes—J. Rosamond Johnson—Juliet.

BROOKLYN

Orpheum—Geo. McFarland—Blossom Seeley & Co.—Shelah Terry & Co.—Martin & Webb—Jackie & Billie—Chas. Irwin—Prosper & Morot—“Gems of Art.”

Bushwick—Ruth Rose—Creole Fashion Plate—Bailey & Cowan—Emmett DeVoy & Co.—Demarest & Colletto—Mabel Burke & Co.—3 Blighty Girls—Cora & Carson Oct.

BUFFALO

Shea's—Reynolds & White—Imhoff, Cann & Corregno—Nina Payne & Co.—Briscoe & Rauh—Scotch Lads & Lassies—Ed. E. Ford—Kane & Herman—Aileen Stanley.

BOSTON

Keith's—Allan Rogers—Crawford & Broderick—Herberts Dogs—May Wirth, Pipp & Co.—Leona La Mar—Donald Sisters—Alice Lloyd.

BALTIMORE

Maryland—Vallocitas Leopards—Bert Baker & Co.—Gray & Byron—Potter & Hartwell—The Nagleys—Joe Laurie—Loney Haskell.

COLUMBUS

Keith's—Belle Baker—Myers & Noon—Helena Fredericks Co.—Newhoff & Phelps—Beatrice Morgan.

CINCINNATI

Keith's—Magis—Glasses—Vinicio Daly—O'Neill & Keller—Bert Melrose—Johnson, Baker & J.—Only GGiri—Francois Kennedy.

CLEVELAND

Hippo—Edwin George—Mme. Herman—Guiran & Marguerite—Sidney Phillips—Gr. Richards—Ma. & Mrs. J. Barry—Bee Palmer & Co.

DETROIT

Temple—Alice Hamilton—Beth Beri & Co.—Toto—Lou & Gene Archer—Jim Jazz King—Masters & Kraft—Kitaro Japs—J. B. Morgan.

DAYTON

Keith's—Countess Verona—E. & E. Adair—Lew Hawkins—Reckless Eve—Patricola & Myers—Chas. Henrys Pots.

ERIE

Colonial—Joe Towlo—Gallorini Sisters.

GRG. RAPIDS

Empress—Dillon & Parker—Stanley & Birnes—Rae Samuels.

HAMILTON

Lyric—Santos & Hayes—Langford & Fredericks—Lee Kohlmar & Co.—Ann Gray—LaRue & Dupree—Everests Monkeys.

INDIANAPOLIS

Keith's—Walter C. Kelly—Elly—Rubenville—B. & F. Mayo—McMahon & Chapello—Dave Roth—Wm. Gleason & Co.

LOUISVILLE

Mary Anderson—Jennie Middleton—Morris & Campbell—Dickinson & Deagon—Moran & Wiser—Alan Brooks & Co.—Gautiers Top Shop.

LOWELL

Keith's—Reynolds & Donegan—Fred Berrons—Spancer & Williams—Gill & Voak—Marx Bros. & Co.—West & Edwards.

MONTREAL

Princess—Myrtle & Jas. Dunedin—Walter Brewer—Diano & Rubini—Joan Adair & Co.—Sabini & Goodwin—Chas. Ahearn & Co.

PORTLAND

Keith's—Juggling Nelsens—Lovenberg Sisters and Neary—On the High Seas—Fenton & Fields.

PHILADELPHIA

Keith's—Bartholdis Birds—For Pity's Sake—Mack & Earl—Artistic Trot—Falon & Brown—Wm. Rock & Co.—Joe Cook & Co.—Foley & LaTour.

PROVIDENCE

Keith's—Grubers Animals—Lorimer & Lawrence—Petty Reat & Bro.—Linton & Lawrence—Frank Gaby—Miniature Revue—Stone & Hayes—Harry Mayo.

PITTSBURG

Davis—Van & Bell—McMahon, Diamond Co.—Wilkie Bard—Duffy & Sweeney—Rinaldo Bros.

ROCHESTER

Temple—Owen McGivney—Sully & Haughton—Bobbe & Nelson—Jack Hanley—Herbert 3—Margaret Young—Follis Girls—J. C. Morton & Co.

SYRACUSE

Temple—Raymond & Schran.

TORONTO

Shea's—Mullon & Francis—Emma Stevens—Kranz & LaSalle—6 Kirksmith Sist.—Hanlon & Clifton—Ed. Janis Revue—Pressler, Klaiss & S.—The Ushers.

TOLEDO

Keith's—Herman & Shirley—Clark & Verdi—Cook & Perry—Jack Inglis—Holiday & Willette.

WILMINGTON

Garrison—Duvall & Symonds—J. & S. Leonard & Co.—DuFer Boys—Carson 3—Homer Romaine.

WASHINGTON

Keith's—Dream Stars—Marcon & Fitzgibbon—Page, Hac' & Mack—Sallie Fisher & Co.—Vernon Stilos—Beatrice Herford—Macart & Bradford—Harvard, Holt & Kendrick.

YOUNGSTOWN

Keith's—Jack LaVier—Zardo—Kingsly Benedict Co.—Olympic Desval—Josephine & Hennings—Luber Meroff & Co.

CHICAGO, ILL.

Palace—Frank Dobson & Sirens—Anna Held, Jr. & Co.—Miss Ryan—Lightners & Alexander—Current of Fun—Sutter & Dell.

Majestic

U. S. Glee Club—Emma Carus & Co.—Julius Tannen—Bronson & Baldwin—Harry Rose—Rome & Cullen—Camilia's Birds—Selma Braatz.

STATE LAKE

Moore & Littlefield—Bradley & Ardine—L. Wolfe Gilbert—Lewis & White—Smith & Austin—Breen Family—Maryland Singers—Billy Rogers—Ballot Trio.

Orpheum

Marmann Sis & Schooler—Billy McDermott—4 Mortons—Black & O'Donnell—Hudler Stein & Phillips—The Duttons.

DULUTH

Orpheum—Royal G.Gascoignes—Ted Doner—Will J. Ward & Girls—Dunham & O'Malley—Bob Hall—Rosa King Co.

DES MOINES

Orpheum—Mfine, Elly—Mrs. Gene Hughes—Duffy & Caldwell—Martelle—Jack Morrissey—Elsa Ruegger Co.

DENVER

Orpheum—Saranoff & Girls—Ciccolini—The Man Hunt—B. & H. Mann—F. & O. Walters—The Pickfords.

KANSAS CITY

Orpheum—Stone & Kaliz—Sweeties—Comfort & King—Norwood & Hall—Kharum—Kanazawa Boys—Lew Brice & Co.

LINCOLN

Orpheum—Albertina Rasch & Co.—Stephens & Hollister—Ergotti's Lilliputians—Jimmy Savo & Co.—Weber & Ridnor—William Ebs—Robbie Gordone—Jas. J. Morton.

LOS ANGELES

Orpheum—Eva Shirley & Band—E. & J. Connolly—Wood & Wyde—Claudia Coleman—Green & Myra—Samaroff & Sonia—Casting Wards—Harry Green Co.

MEMPHIS

Orpheum—Evelyn Nesbit—Bowman Bros.—Wright & Dietrich—Bruce Duffet Co.—Fink's Mules—Oscar Lorraine.

MILWAUKEE

Palace—Patricola—Rockwell & Fox—Long Tack Sam Co.—Cantor's Lady Minstrels—Peggy Brooks—Jap.

OAKLAND

Majestic—Bessie Clayton Co.—Lew Dockstader—Phil Baker—Nash & O'Don—Maleta Bonconi.

MINNEAPOLIS

Orpheum—Alice Eis Co.—Chas. Grapewin Co.—Tennessee Ten—Lydia Barry—Ray Snow—Ja Da Trio.

NEW ORLEANS

Orpheum—Harry Watson—Halig & Waldrich—Elinore & Williams—Planoville—Nathane Bros.—Murphy & White.

OAKLAND

Orpheum—Lambert & Ball—“Indoor Sports”—Meredith & Snoozy—Jerome & Herbert—“Beginning of the World”—Van Celios—Geo. Price & Co.

OMAHA

Orpheum—“Not Yet Marie”—Colour Gems—Karl Emmy's Pets—The Sharrocks—Donald Roberts—Farell Taylor & Co.—Buns & Frabito.

PORTLAND

Orpheum—Ford Sis & Band—Stuart & Barnes—Grace DeMar—Howard's Ponies—Barber & Jackson—Frawley & Louise—Sterling & Marguerite.

SEATTLE

Orpheum—Gus Edwards Co.—3 Jordan Girls—Jack Osterman—Arnaud Bros.—Ernest Evans Co.—Gallagher & Martin—Marshal Montgomery.

ST. LOUIS

Orpheum—“Putting It Over”—Barnes & Crawford—Harry Jolson—Ashley & Dietrich—Mason & Keeler—Transfield Sisters—The Vivians—Bob Tip & Co.

SALT LAKE CITY

Orpheum—U. S. Jazz Band—Lillian Shaw—Venita Gould—Kitner & Reaney—Lydell & Macey—Arthur West & Co.

ST. PAUL

Orpheum—Geo. Kelly Co.—Ivan Bankoff Burt & Rosedale—Sybil Bane Co.—Regay & Lorraine Sis.—Belgium Trio—Harry Green.

SAN FRANCISCO, CALIF.
Orpheum—Hyams & McIntyre—Rigolletto Bros.—Fox & Ward—Watts & Hawley—Jas. H. Cullen—Cartmell & Harris—“Overseas Revue”—Al & F. Steiman.
SACRAMENTO & FRESNO
Orpheum—Gertrude Hoffmann—Salon Singers—Phina & Co.—Collins & Hart—Chris. Richards—Musical Hunters.

VANCOUVER

Orpheum—Nat Nazaro & Band—Dolly Kay—The Rickards—Chic Sales—Bensee & Baird—Roy & Arthur—Travers & Douglas.

WINNIPEG

Orpheum—“Extra Dry”—Pietro—Four Readings—Bernard & Duffy—Eva Taylor & Co.—Lachmann Sisters.

PROCTOR CIRCUIT

(Week of Dec. 8)

NEW YORK CITY.
81st Street—Bert Baker & Co.—Randles & Dayo—Duffy & Sweeney—Exposition Jubilee Four—Frank Gabby—Grace LaRue.

5th Ave.—(First Half)—Marie LaMarr Co.—Fabor Bros.—Brendel & Burt—Bobby Randell—Tom Nawn Co.—Ferman & Nash—Martin & Webb. (Last Half)—“Playmates” Pliko & Fellows—Brown & Spencer—Howard & Clark—“Lost on the Moon.”

58th Street—(First Half)—Billy Shoen—DeOnsonne & Baker—Jarvis & Harrington—Mary & Billy Ritchie—Dobbs Clark & Davis—Eary & Eary—John G. Sparks Co. (Last Half)—Alexander & Mack—Nadel & Collette—Frank Markley—Pilcer & Douglas—Jane Courthope—Austin & Allen—Marie LaMarr & Band.

125th Street—Mike Quallen—Mabel Burke—Brennan & Rule—Tate & Tate—McRay & Clegg—Sullivan & Scott. (Last Half)—Corcoran & Mack—Chas. F. Seymour—Burt Hanlon.

Harlem Op. House—(First Half)—Bertram Mae & Co.—A. C. Astor—F. & W. Britton—McCormack & Mullen—Once Upon a Time. (Last Half)—Doloe Sisters & Co.—Friend & Downing.

23rd Street—(First Half)—Jean Fowlar—Bonita & Hearn—Corcoran & Mack—Ernie & Ernie—Diani & Rubini—Mamie Gehrue & Co.—Sam Yee Troupe. (Last Half)—J. Aldrich Libby—Roland Travis & Co.

Mt. Vernon—(First Half)—Anthony McKay & Ardine—“Lost on the Moon”—Ben Bernie—Wilbur Mack—Janet Adair Co. (Last Half)—Bobby Randell Co.—Ford & Cunningham—Roscoe Ails Co.—McRae & Clegg—Chas. Kellogg.

White Plains—(First Half)—3 Martells—Tom & Doly Ward—Henry J. Kelly—Maris Hart & Sax Revue. (Last Half)—4 Laurels—Connally & Francis—Jack Marley—Weight Sis & Band.

Yonkers—(First Half)—Frank Markley—Pilcer & Douglas—Jane Courthope—Kane Morey & Moore—Alexander & Mack (Last Half)—M. & B. Ritchie—Ames & Winthrop—Palo & Palet—Harvey Holt & Kendrick.

BROOKLYN

Prospect—(First Half)—Piquo & Fellows—Howard & Clark—Bert Hanlon—Fors & Cunningham—Lorner Girls—Harmony Kings. (Last Half)—Brendel & Burt—Tom Nawn Co.—Anthony—McKay & Ardine—Chong & Moe.

Halsey—(First Half)—Eldora & Co.—Deming & Rose—Betty Behave—Franklin Four—Harvey Holt & Kendrick. (Last Half)—Kennedy & Dinas—Peterson Kennedy & Murray—A \$1,000 Note—Bevan & Fliny—Chief Little Elk.

Greenpoint—(First Half)—Lauder Bros.—Cameron Dewitt Co.—Fisher & Gilmore—Rekoma—Sheppelle & Stinnette—Roland Travis & Co. (Last Half)—Mumford & Stanley—College Five—Jarvis & Harrison—Lorner Girls—Cutt & Nelson.

LOEW CIRCUIT**NEW YORK CITY**

American—(First Half)—3 Mazuma Japs—Sheppard & Dunn—Dale & Wilson—Mrs. Adolphus & Co.—Harris & Nolan—Geo. Hart & Co.—Joe Darrey—Clairmont Bros. (Last Half)—Panzer & Sylvia—Laimee & Pearson—Nat Carr—Luha Meroff & Co.—Townsend Wilbur & Co.—Dave Harris—King Bros.

Boulevard—(First Half)—King Bros.—Bauers & Saunders—Bill Dooley—Basil & Allen—Davis & Rih—(Last Half)—Herbert Swan—Barra Sisters—Geo. D. Hart—Ferns & Litt—“Girls in the Air.”

Victoria—(First Half)—DeVoe & Statzer—Aubrey & Riche—Kingsbury & Munson—Concentration. (Last Half)—Wray's Manikins—Sheppard & Dunn—Concentration—Joe Darcey—Lorner Girls.

Lincoln Square—(First Half)—Lily Sisters—Davis & Walker—Hugh Emmett & Co.—Nat Carr—Lorner Girls. (Last Half)—Dolly & Calame—Will Stanton & Co.—Bill Dooley—Thirty Pink Toes.

Greeley Square—(First Half)—Dancing Humphreys—Mason & Bailey—Lillian Watson—Frank Stafford & Co.—Walmsley & Keating—Amoros & Obey. (Last Half)—Page & Saunders—Harry Meehan—Ted McLean & Co.—Davis & Rich.

Delancey St.—(First Half)—Robert Swan—Hudson Sisters—Fred Elliott—Gordon & Merlin—Weston & Eline—Panzer & Sylvia. (Last Half)—Davis & Walker—Benny Harrison & Co.—Kauf-

man & Lillian—Wells, Virginia & West Amores & Obey.
National—(First Half)—Dalley Bros.—Wells, Virginia & West—Harry Meehan—Clark's Hawaiians. (Last Half)—DeVoe & Statzer—Hudson Sisters—Homer Lind—Cunningham & Bennett—Wm. O. Clare.

Orpheum—(First Half)—Farrell & Hatch—“His Taking Way”—“Thirty Pink Toes.” (Last Half)—Dancing Humphreys—Mason & Bailey—Lillian Watson—Hugh Emmett & Co.—Walmsley & Keating.

Ave. B.—(First Half)—Joe & Sadie De Lier—Murray Leslie—Gillen & Mulcahy—Stan Stanley—Grazer & Lawlor. (Last Half)—Wilfred Du Bois—Dorothy Hilton—Little Lord Roberts—Stan Stanley—Eline Main & Boys.

BROOKLYN, N. Y.

Metropolitan—(First Half)—Wray's Manikins—Barr Sisters—Wm. O'Calire & Co.—Frns & Litt—Luba Meroff & Co. (Last Half)—Dailey Bros.—Harris & Nolan—“His Taking Way”—Weston & Eline—Hall & Gilday.

DeKalb—(First Half)—Hall & Gilday—Mae Marvin—Arthur J. Finn & Co.—Dave Harris. (Last Half)—Claremont Bros.—Delbridge & Gremmer—Gordon & Merlin—Bernard & Meyers—Beth Stone.

Palace—(First Half)—Kullewa & Co.—Dorothy Hilton—Benny Harrison—Royal Hussars. (Last Half)—Gene & Delaney—Arthur Finn & Co.—Fred Elliott—Grazer & Lawlor.

Fulton—(First Half)—Beth Stone & Co.—Cunningham & Bennett—Homer Lind & Co.—Bernard & Meyers. (Last Half)—Aubrey & Riche—Dale & Nelson—Kingsbury & Munson—Dale & Wilson—Clark's Hawaiians.

Warwick—(First Half)—Theda Bernard—Rucker & Winfred—Mikado's Troupe. (Last Half)—Kullewa & Co.—Murray Lesslie—Frank Stafford & Co.—VVariety Trio.

ATLANTA

Grand—(First Half)—Arthur Stone—Powell & Worth—Walters & Walters—Russell & Devitt. (Last Half)—Jack Goldie—? Victors.

BALTIMORE

Hippo—Ferguson & Sunderland—Burns & Garry—“Nine O'Clock”—Lane & Plant—Sansome & Delilah.

BIRMINGHAM

Bijou—(First Half)—Stanley—Mack & Salle—Knorr Bella & Co.—Barnes & Freeman—Jack Levy & Girls. (Last Half)—Arthur Stone—Powell & Worth—Walters & Walters—Russell & De Witt.

BOSTON

Orpheum—(First Half)—Bicknell—Storey & Clark—Marion Munson—Bank Brown—Odiva & Seals. (Last Half)—La Dora & Benjamin—Senna & Weber—Spender & Rose—Murray Bennett—Odiva & Seals—Van Sloan & Dean.

CHICAGO

McVicker's—McMahon Sisters—Martin & Courtney—Oh, Mike—Chas. McGoods & Co.

CLEVELAND

Liberty—Beattie & Blans—Herman & Clifton—Lew Welch—Ward Bros.—Darras Bros.

DALLAS

Hippo—(First Half)—Brown's Dogs—Fashion de la Mode. (Last Half)—Krayona & Co.—Courtney & Barrett—Frances Rice—Mellito Sisters.

**Mrs. BILLY BASKETTE**

Wife of the song writer has just finished writing a fine Reel Feature Picture entitled

‘NERVOUS FINGERS’ which will receive a Broadway Run.

—Ted McLean & Co.—Davis & Rich.

—Robert Swan—Hudson Sisters—Fred Elliott—Gordon & Merlin—Weston & Eline—Panzer & Sylvia. (Last Half)—Davis & Walker—Benny Harrison & Co.—Kauf-

man & Lillian—Wells, Virginia & West Amores & Obey.

National—(First Half)—Dalley Bros.—

Wells, Virginia & West—Harry Meehan

—Clark's Hawaiians. (Last Half)—

DeVoe & Statzer—Hudson Sisters—Ho

mer Lind—Cunningham & Bennett—Wm.

O. Clare.

Orpheum—(First Half)—Farrell &

Hatch—“His Taking Way”—“Thirty

Pink Toes.” (Last Half)—Dancing

Humphreys—Mason & Bailey—Lillian

Watson—Hugh Emmett & Co.—Walms

ley & Keating.

Ave. B.—(First Half)—Joe & Sadie De

Lier—Murray Leslie—Gillen & Mulcahy—

Stan Stanley—Grazer & Lawlor. (Last

Half)—Wilfred Du Bois—Dorothy Hilton

—Little Lord Roberts—Stan Stanley—

Eline Main & Boys.

BROOKLYN, N. Y.

Metropolitan—(First Half)—Wray's

Manikins—Barr Sisters—Wm. O'Calire &

Co.—Frns & Litt—Luba Meroff & Co.

(Last Half)—Dailey Bros.—Harris &

Nolan—“His Taking Way”—Weston &

Eline—Hall & Gilday.

DeKalb—(First Half)—Hall & Gilday—

Mae Marvin—Arthur J. Finn & Co.—

Dave Harris. (Last Half)—Claremont

Bros.—Delbridge & Gremmer—Gordon &

Merlin—Bernard & Meyers—Beth Stone.

Palace—(First Half)—Kullewa & Co.—

Dorothy Hilton—Benny Harrison—Royal

Hussars. (Last Half)—Gene & Delaney

—Arthur Finn & Co.—Fred Elliott—

Grazer & Lawlor.

Fulton—(First Half)—Beth Stone & Co.

—Cunningham & Bennett—Homer Lind

& Co.—Bernard & Meyers. (Last Half)

—Aubrey & Riche—Dale & Nelson—

Kingsbury & Munson—Dale & Wilson

—Clark's Hawaiians.

Howard—Hall & Gilday.

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Manikins—Barr Sisters—Wm. O'Calire &

Co.—Frns & Litt—Luba Meroff & Co.

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Loew Circuit—Dir. JOE MICHAELS

Gov't Files Vaude Probe Brief

(Continued from Page 23)

agency, should be abolished; that is to say, the B. F. Keith Vaudeville Exchange should not be permitted to charge performers a fee for obtaining employment in the B. F. Keith theatres; the Marcus Loew booking offices should not be permitted to charge performers a fee for appearing in the Marcus Loew theatres, and the same rule would apply to the various other circuits. This condition prompted an inquiry years ago (R. 1474): "Why should the employee employ the employer and pay him a commission, for the privilege of being employed by the employer?"

...One of the objects of the Federal Trade Commission Act is to protect the competitive system from the dangers of combination. Therefore, every combination which by its necessary effect or because of the character of the means employed, restricts competition, or monopolizes commerce, is within the purview of the law.

Monopoly is understood to include a condition produced by acts of individuals. Its dominant thought is the power of exclusiveness or unity; in other words, the suppression of competition by the unification of interest of management, or it may be through agreement or concert of action.

National Cotton Oil Company v. Texas, 197 U. S. 115.

While the bill to create the Federal Trade Commission was pending in the 63rd Congress, Senator Cummins stated:

"The unfair competition which is sought to be reached x x x is that violence of competition conducted through unfair practices and methods, which must ultimately result in the extinction of a rival and the establishment of a monopoly. x x x It is that competition which is resorted to for the purpose of destroying competition, or eliminating a competitor, and of introducing monopoly. That is the unfair competition in its broad sense which this bill endeavors to prevent." (Cong. Rec. p. 12149).

Senator Newlands, speaking on the same subject said:

"The Interstate Trade Commission is organized with a view of laying bare the methods and the organization and the practices that constitute monopoly. It is organized for the purpose of aiding the courts in destroying monopoly. It is organized for the purpose of aiding the Attorney-General in the prosecution of his duty in the destruction of monopoly. x x x" (Cong. Rec. p. 14113).

Monopoly is an accomplished conspiracy. A conspiracy to monopolize commerce is one thing, and it is very much like a conspiracy in restraint of commerce, but the monopoly is the result of a conspiracy. It is the accomplished thing. Therefore, if a monopoly be acquired through a conspiracy, its continuance after the conspiracy has ceased to exist, is in itself illegal; and the conspirators are liable therefore although the business of the combination is regulated by a corporation which is controlled by the conspirators.

U. S. v. Patterson, 201 Fed. 697.

The combining of the various circuits of theatres, included in the V. M. P. A. in such a manner and with the result that the combination occupies a dominant position in the industry and suppresses competition between the several circuits composing it, such combination constitutes of itself an undue restriction of commerce and its necessary effect being unduly to restrict competition, the purpose is immaterial.

While the combination does not embrace every vaudeville theatre in the United States, its control is so nearly complete that there are not enough theatres outside the combination to enable performers to make a living playing in them. But to show that a combination is illegal, it is not necessary that there be a complete monopoly.

The rule in this regard is stated by the Court in United States v. E. C. Knight, 156 U. S. 1, as follows:

"All the authorities agree that in order to vitiate a contract or combination it is not essential that its result should be a complete monopoly; it is sufficient if it really tends to that end and to deprive the public of the advantages that flow from free competition."

While the few remaining independent theatres may continue for some time to hold out against the combination, it is clearly in the power of the combination to drive them out of business. This condition was discussed in the case of Missouri v. International Harvester Company, 237 Mo. 369, wherein the court said:

"If the International Harvester Company were disposed to exercise the power its enormous wealth gives and if it were left unrestricted to do so, it could drive every competitor it now has from the field."

The Supreme Court of the United States, in affirming the decree in the Missouri case, 234 U. S. 199-210, said:

"This is one of the results which the statute was intended to prevent, the unequal struggle of individual effort against the power of combination."

A combination in the form of a trust or otherwise, or conspiracy in restraint of commerce among the several states is illegal and a monopoly of any part of the commerce among the several states is likewise illegal.

The V. M. P. A. and its affiliated interests is clearly a combination in restraint of commerce among the states and has a monopoly of certain parts of the commerce among the States. A great deal of time has been consumed at the hearing by the respondents in attempting to show that in spite of its alleged illegal character, the conspiracy is a good thing for the vaudeville industry in general; that the actors are now faring better than they would if the conspiracy were dissolved.

Of course, it is obvious that this does not constitute a defense, for the inquiry of the Commission will be limited to whether the restraint of commerce and monopoly exists, and will not be concerned with the question whether it is possible that some good might come of the conspiracy. The respondents seem willing to admit that they crushed the "White Rats Actors Union," but apparently attempt to show that they were justified in doing so, and overlook the fact that the very existence of the organization which stood in their way, constituted a violation of law and the fact that the "White Rats" organization needed crushing can in no way become material.

The respondents would have the Commission believe that their present organization has greatly benefited the actor and has resulted in much good to the amusement business generally. The same contention was made by the defendants in the Standard Sanitary Manufacturing Company case, 226 U. S. 20, that because of the combination there had been improvement in the quality of the product and the public was on that account benefited, but it was held that the prohibitions of the statute cannot be evaded by good motives:

"The law is its own measure of right and wrong, of what it permits or forbids, and the judgment of the Courts cannot be set up against it in a supposed accommodation of its policy with the good intention of parties and it may be of some good results."

The respondents also disclaim any intention to restrain commerce or monopolize the amusement industry. In this connection see the opinion of the Court in United States v. Reading Company, 226 U. S. 324, wherein it was held:

"Of course if the necessary result is materially to restrain trade between the states, the intent with which the thing is done is of no consequence."

To the same effect, see also United States v. Patten, 226 U. S. 525, wherein it was held:

The respondents also disclaim any having intended the necessary and direct consequences of their acts and cannot be heard to say to the contrary."

"In other words, by purposely engaging in a conspiracy which necessarily and directly produces the result which the statute is designed to prevent, they are in legal contemplation chargeable with intending that result."

From these authorities, it is clear that any attempt by respondents to show good motives and the absence of intent to restrain commerce, would be wholly immaterial. The Court in United States v. Union Pacific R. R. Co., 226 U. S. 61, held:

"It is the scope of such combinations and their power to suppress or stifle competition or create a monopoly which determines the applicability of the Act."

But even if it were necessary to show that the respondents intended to restrain commerce, the comprehensiveness of their combination would constitute proof of such intent. It is well settled that where a combination takes in so large a proportion of the units of any industry that those outside cannot hope to compete with it except by sufferance, it follows that one of the purposes of the combination was to prevent effective competition by those outside. It was so held in the Standard Oil Company case, 221 U. S. 1:

"The unification of power and control of petroleum and its products which was the inevitable result in the combining of the New Jersey corporation by the increase of its stock and the transfer to it of the stocks of so many other corporations, aggregating so vast a capital, gives rise, in and of itself, in the absence of countervailing circumstances, to say the least, and a prima facie presumption of intent and purpose to maintain the dominancy over

the oil industry, not as a result of normal methods of industrial developments, but by new means of combination which were resorted to in order that greater power might be added than would otherwise have arisen had normal methods been followed; the whole with the purpose of excluding others from the trade and thus centralizing in the combination a perpetual control of the movements of petroleum and its products in the channels of interstate commerce."

The court in Eastern States R. L. D. Association v. United States, 234 U. S. 600, cited and followed the Addison Pipe & Steel Company case, 175 U. S. 211, and held:

"Congress, with the right to control the field of interstate commerce, has 'so legislated as to prevent resort to practices which unduly restrain competition or unduly obstruct the free flow of such commerce and private choice of means must yield to the national authority thus exerted."

CONCLUSION.

The summarization of the facts in this brief we submit is a dispassionate statement, without emphasis or color, of the material matters proved upon the hearing. The evidence discloses beyond dispute that the respondents have a machine which gives them unqualified domination of the entire vaudeville industry of the United States, and that they can, and do, use such machine to control the weal of the actor and to make him subservient to their every requirement or demand; that they are in a position to say, and do say, who, and under what terms others, shall engage in the conducting of vaudeville theatres; that they can, and do, eliminate competition in the booking of acts, and generally exercise an automatic control over the industry that eliminates all semblance of competition in any branch thereof.

That such a situation, from a public viewpoint, is an unhealthy condition is not a subject for argument. The allegations of the complaint have been proved and the Commission has the foundation from such facts proved to make findings thereof and a statutory order requiring the respondents to cease and desist from their unlawful practices.

Respectfully submitted,
JOHN WALSH,
WILLIAM C. REEVES,
Attorneys.

LAURETTE TAYLOR SHOWS NEW POWERS IN LATEST PLAY

"ONE NIGHT IN ROME," a drama in three acts by J. Hartley Manners. Presented by George C. Tyler, at the Criterion Theatre, Tuesday evening, December 2nd, 1919.

CAST

Richard Oak..... Philip Merivale
Mr. Justice Millburne..... H. Cooper Cliffe
Signor Diranda..... George Majeromi
Denby Wragge..... Berry Baxter
Gresham..... Thomas Coffin Cooke
Bikra..... John Davenport Seymour
Mrs. Oak..... Mrs. Felix Morris
Mrs. Redlynch..... Louise Beaudet
Zephyr..... Helen Blair
Kiara..... Olin Field
Iola..... Grete Kemble Cooper
Aenea..... Valentine Clemow
La Bambina..... Marie Bianchi
"L'Enigme"..... Laurette Taylor

Deliberately ignoring some of the most obvious rules of dramatic construction, J. Hartley Manners has written a play strong only in its sustaining of a mystery until the end and which is saved by the magical grace of Laurette Taylor's name and the never failing promise of her art.

The first act, which has for its locals an English house party, is given over to the mysteries of palmistry. This act has little connection with the rest of the play, save that it establishes an interest between L'Enigme, the fair seer, and one Richard Oak, a young Englishman who is struggling in indecision over a loveless engagement.

In the following act, we find this Italian sorceress at the country home of Oak's uncle, where she has been invited as an attraction at a society bazaar. It is here that, by a rather unpleasurable set of circumstances, she is suspected of stealing an opal of great value.

It is not until the third and last act that the labored mystery of the Italian woman is revealed, when Oak breaks his loveless engagement and comes to the wrongly suspected L'Enigme's aid by asking her to be his wife. It is then he learns that she is not an Italian woman with a past, as is commonly thought, when she removes her wig of black hair and discloses an English woman. Then follows the road to happiness.

As L'Enigme, Miss Taylor displayed some qualities which we have never found in her before. She showed a lofty dignity in some scenes which was new.

ELSIE JANIS AND "HER GANG" SHOULD ENTERTAIN ANYONE

ELSIE JANIS AND "HER GANG." A "Bomb Proof Revue" in two acts and eight scenes. Book by Elsie Janis; "jokes by everybody" and songs by William Kernal, Richard Fechheimer, B. C. Hilliam and Elsie Janis. Presented by Elsie Janis at the George M. Cohan Theatre, Tuesday evening, December 2nd, 1919.

PRINCIPALS

Elsie Janis, Bill Kernal, Eddie Hay, Bradley Knoche, Jerry Hoekstra, Jack Brant, Charles Lawrence, "Chick" Deveau, Richard Ryan, Bill Reardon, Henry Jenswick, Sam Burbank, Frank Miller and Herbert Goff, Eva Le Gallienne, Ruth Wells, Henriette Orville, Margaret Sousa, Lillian Cullen, Mary Balfour. The Jazz Band: Ewart Allan, Norman Merleton, Howard Johnson, Edward W. Reno, Harry Berger, Joe Wise, Nat Martin, B. Romolo.

The diverting musical melange that Elsie Janis has brought to the George M. Cohan Theatre is so entertaining that it really doesn't matter whether it is a real musical show or not. What does matter is that this "Bomb Proof Revue," as she calls it, gives this most versatile of comedienne a chance to frolic and cavort as only she is capable of doing.

The show is burdened with very little scenery and makes no pretense at unfolding a plot, as was explained at the very outset in a witty manner by a couple of "Her Gang" and Miss Janis herself. No definite musical show rules are adhered to, except that the second act follows the first and a total of eight scenes comprise both acts.

Just the same, so well has she mixed the various ingredients in this melange that, from the beginning to the end, it never seems to pause for lack of dash or entertainment.

"Her Gang" consists of a number of soldiers and a few pretty girls, just a sort of happy family, it seems, with Elsie Janis herself as a youthful and frolicking mother superior. And the wholesome fun that all of them exude is so refreshing that it just seems to linger happily in the memory of those who witness the performance.

Elsie Janis wrote the book and also wrote a few of the songs, William Kernal, Richard Fechheimer and B. C. Hilliam being mentioned as the others responsible for songs in the show. And among the songs "Apres la Guerre," sung by Miss Janis and some of her "Gang" near the end of the first act and "It's My Temperament," sung by Charles Lawrence in the same act, seemed to make the best impression.

This same Charles Lawrence deserves special mention for his humorous and altogether splendid delineation of a stammering soldier. His drunken verbal sally with an M. P. was a subtle and humorous bit of character acting, so much so, in fact, that it stamps him as a truly rare comedian. Among the ladies, Eva Le Gallienne deserves mention, for she is pert and pretty and sang, danced and acted the part of a French damsel with grace and proper abandon.

With respect to the jazz band which figures in the show, it may be said that Miss Janis might have made a happier choice of musicians, for the playing was raucous and uneven, to say the least.

In the main, this is a show which is everything that it sets out to be, namely, entertaining, and it will probably be found to be that by the large number of people who will come to witness the performance.

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AMERICAN WHEEL

All Jazz Review—Gayety Baltimore, 8-13; Lyceum, Washington, 15-20. Aviator Girls—Majestic, Scranton, 8-13; Armory, Binghamton, 15-17; International, Niagara Falls, 18-20. Broadway Belles—Broadway, Camden, N. J., 8-11; Grand, Trenton, 12-13; Bijou, Philadelphia, 15-20. Beauty Review—Bijou, Philadelphia, 8-13; Empire, Hoboken, 15-20. Bathing Beauties—Empire, Providence, 8-13; Olympic, New York, 15-20. Blue Birds—Penn Circuit, 8-13; Gayety, Baltimore, 15-20. Cabaret Girls—Gayety, Newark, 8-13; Broadway, Camden, 15-18; Grand, Trenton, 19-20. Crackerjacks—Cadillac, Detroit, 8-13; Englewood, Chicago, 15-20. Dixon's Big Review—Gayety, Sioux City, 8-13; Century, Kansas City, 15-20. Edmund Hayes Show—Gayety Milwaukee, Wis., 8-13; Gayety, St. Paul, 15-20. Follies of Pleasure—New Academy, Buffalo, 8-13; Empire, Cleveland, 15-20. French Frolics—Trocadero, Philadelphia, 8-13; Open, 15-20. Girls from the Follies—Park, Indianapolis, 8-13; Gayety, Louisville, 18-20. Girls from Joyland—Empire, Cleveland, 8-13; Cadillac, Detroit, 15-20. Girls, Girls, Girls—Gayety, Minneapolis, 8-13; Gayety, Sioux City, 15-20. Grown Up Babies—Howard Boston, 8-13; Empire, Providence, 15-20.

Jazz Dances—Century, Kansas City, 8-13; Open, 15-20; Standard, St. Louis, 22-27. Kewpie Dolls—Armory, Binghamton, 8-13; International, Niagara Falls, 11-13; Star, Toronto, Can., 15-20.

Lid Lifters—Lyceum, Washington, 8-13; Trocadero, Philadelphia, 15-20.

Midnight Maids—Empress, Cincinnati, 8-13; Lyceum, Columbus, 15-20.

Mischief Makers—Gayety, Brooklyn, 8-13; Gayety, Newark, 15-20.

Monte Carlo Girls—Olympic, New York, 8-13; Gayety, Brooklyn, 15-20.

Oh Frenchy—Plaza, Springfield, 8-13; Grand, Worcester, Mass., 15-20.

Pacemakers—Majestic, Wilkesbarre, 8-13; Majestic, Scranton, 15-20.

Pat White Show—Grand, Worcester, 8-13; Howard, Boston, 15-20.

Parisian Flirts—Englewood, Chicago, 8-13; Haymarket, Chicago, 15-20.

Razzle Dazzle Girls—Open, 8-13; Standard, St. Louis, 15-20.

Relord Breakers—Open, 8-13; Majestic, Wilkesbarre, 15-20.

Round the Town—Standard, St. Louis, 8-13; Park, Indianapolis, 15-20.

Sliding Billy Watson Show—Lyceum, Columbus, 8-13; Victoria, Pittsburgh, 15-20.

Social Follies—Gayety, St. Paul, 8-13; Gayety, Minneapolis, 15-20.

Some Show—Gayety, Louisville, 8-13; Empress, Cincinnati, 15-20.

Sport Girls—Haymarket, Chicago, 8-13; Gayety, Milwaukee, 15-20.

Stone & Pillard Show—Star, Brooklyn, 8-13; Plaza, Springfield, Mass., 15-20.

Sweet Sweetie Girls—Star, Toronto, 8-13; New Academy, Buffalo, 15-20.

Tempeters—Empire, Hoboken, 8-13; Star, Brooklyn, 15-20.

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GILBERT GREGORY, real name W. J. Gonzales, is seriously ill at Presbyterian Hospital. Anyone having information of whereabouts of son should notify International Y.M.C.A. (Vanderbilt 1200, Extension 335), 347 Madison Ave., New York.

MOTION PICTURES

GOLDWIN GETS COIN FROM DUPONT'S

STOCK GOES ON THE CURB

Another angle to the activities of the Du Ponts, in association with their direct and indirect banking interests, developed last week, with the announcement of the Goldwin Film Company that it had become affiliated with the powder people in a financial way.

In effect, the announcement stated that Du Pont money was behind the picture corporation to a total of many millions and that, as a result, an elaboration of both the producing schedule and releasing area would go into effect as soon as the legal details can be arranged.

The new affiliation adds many important names to the Goldwin Board of Directors. They include: H. F. Du Pont, vice president of the Du Pont Powder Company; Eugene E. Du Pont, W. W. Laird of Laird & Co. of Wilmington, C. C. Kurtz, vice president of the Wilmington Trust Company; R. M. Carpenter, vice president of the Du Pont Powder Company; E. V. R. Thayer, president of the Chase National Bank; Duncan Holmes, vice president of the Chase Securities Corporation; William Topkis, George T. Bissell, G. W. Davison, vice president of the Central Union Trust Company; Macmillan Hoopes and Abbot M. Wittenberg, a member of H. Content & Co.

This new development in the picture company will mean an increase in capital stock of an authorized amount of 1,000,000 shares, of which there is intended to be 450,000 outstanding.

Trading on the curb market in Goldwin stock began Friday of last week and it was extremely active. H. Content and Company are acting as brokers.

This announcement of almost unlimited financial backing is the second one of importance the picture people have made within the past six months. Not long ago, F. J. Godsot became actively associated with them, and A. H. Woods and the Shuberts became officers in the company by representation, reserving for Goldwin photoplay production all the plays which they had produced and expected to produce as dramatic offerings.

FOX BUYS FIVE STORIES

William Fox has purchased five new stories to be made into films with his leading stars. These include "The Iron Rider" by Frank L. Packard, for William Russell; "Find the Woman" by Gellett Burgess; "The Orphan," Clarence E. Mulford's story will have William Farnum as the star; "The Honor of the Force" by Alan Sullivan, for Farnum, and "From Now On," by Frank L. Packard, star not yet picked.

SHOWING SEMON FILMS

The Capitol Theatre, the world's largest house, has signed to show the Larry Semon comedies being produced by Vitagraph under the new \$3,600,000 policy.

GIVES \$14,000 TO WIDOW

The Board of Directors of the Universal Film Manufacturing Company, passed a resolution last week whereby Mrs. Armstrong, the widow of Dr. Joseph Robert Armstrong, who was killed in the Smithsonian-Universal expedition in South Africa, is to receive \$14,000. This was the amount of the insurance money carried by the company for its own benefit.

In addition to the \$14,000, Mrs. Armstrong will also receive \$6,000, which she is entitled to as the one named as beneficiary in the policy carried for Dr. Armstrong.

WELLS MAKES BIG DEAL

With the idea of building a number of picture theatres in Richmond, Norfolk and other Virginian points, Jake Wells of Richmond, who has been visiting New York, has put over a \$1,000,000 deal in which Wilmer and Vincent and the Keith interests are involved. Wells intends to build a number of theatres, confining the seating capacity to one floor.

FAIRBANKS COMPLETES ANOTHER

Douglas Fairbanks has completed his second production to be released through the United Artists Corporation, under the title of "When the Clouds Roll By." It will be realeased December 29th.

Tom Geraghty wrote the scenario for "When the Clouds Roll By" and is now permanently with the Fairbanks organization. Lou Weedock, a New York newspaperman, assisted Geraghty in editing the film. Henry Clive, the artist, will have his first screen drawings shown in the illustrated titles of the feature.

RICH GOES WITH METRO

H. Thompson Rich has resigned from the Vitagraph scenario staff, where he had been for a year, to accept a position with the Metro Film Corporation. He left for the Coast last week, where he will work under the direction of Maxwell Karger.

HYMAN SUCCEEDS LOVERIDGE

Edward L. Hyman has been appointed manager of The Strand Theatre, Brooklyn, to replace John Loveridge, recently resigned. Hyman has been with the Strand firm for quite some time. It was thought, at first, that Louis Gilbert, assistant manager, would get the house.

LETTER LIST

GENTLEMEN

Arnold, Bert C. Denning, Jas. P. Lenders, E. W. Reed, Harry Roy, Walter G. Burton, E. D. Earle, Burt Farnum, Ted Millard, Bill Mallia, Henry McCurry, Robt. Merlin, Jack Morrissey, Mr. Naden, Lew Penny, Harry Powers, Tom Rachen, H. Riddle, Billy & Vi.

LADIES

Akerman, Babe Dunbar, E. L. Hutchinson, Mae Harding, Olive Hills, Anna Joyce, Louise Jackson, Claire Kinsey, Madge Gordon, Billie Lorraine, Peggy Luker, Eleanor Lemaire, Helen Lewis, Augusta La Bergerie, Elsie Morton, Julia Hardy, Fannie Mackenon, Mrs. J.

Harron, Minnie Bailey, Mrs. Berry, Mildred Barnes, Vera Bates, Betty Ballerini, Clara Busley, Jessie Chipman Sisters Crawford, Nellie Carrington, A. Corbin, Elfie Dowling, May

Elsmere, Bertha Farr, Florine Farlardean, Doll I. Firestone, Billy Frances, Mae Gilman, Charlotte Graeff, Dolores Gaby, Frank Hardy, Marguerite Hart, Chick Hardy, Fannie

Nova, Sylvia Pickett Sisters Pierce, Agnes Pete, Emily Richards, Elvina Rose, Ann Reed, Eleanor Shorey, Ethel Mae Smith, Isabelle Silks, Mary Sills, Rosemary Sievers, Anna Terry, Jeanette Vernon, S.

NEW PRODUCERS TO DISTRIBUTE INDEPENDENTLY

ALL CAN GET OUTPUT

LOS ANGELES, Cal., Dec. 7.—According to an official announcement issued from the headquarters of the newly formed Associated Producers, the entire output of the organization will be distributed independently to exhibitors everywhere, without discrimination, so that the owner of one house and the owner of a hundred, will have an equal opportunity to purchase the films, if he wants them.

The new organization, headed by Thomas H. Ince as president, and Mack Sennett, as treasurer, will start work immediately the present contracts of its members expire. The produced will be allowed to spend as much money as may be required to bring about the perfection of his product and there will be no schedule of production, each producer getting out as many pictures as he can without impairing the quality of his output.

The entire output of the new organization will be placed on the market for general booking by exhibitors, direct. The pictures of the new association will bear the names of such well known independents as Marshal Neilan, Allan Dwan, Mack Sennett, Thomas H. Ince, George Loane Tucker, Maurice Tournier and many more which have, for obvious reasons, been withheld.

Further details regarding the minor officials and executives of the distribution centres and the like will be given out during the coming week. This much, however, is known, the company is thoroughly organized and heavily capitalized.

COMPLETING "FORTUNE HUNTER"

Earle Williams and his supporting company are completing the screen version of "The Fortune Hunter," the comedy by Winchell Smith which is being produced by Vitagraph. Jean Paige is playing the leading female role opposite Williams in the film, which is being directed by Tom Ter-

FILM FLASHES

William M. Vogel has just returned from a three months trip to Europe to study the conditions of the film markets for William Vogel productions and Atlantic Cinema Corporation.

Majole Rambeau is at work on her first picture for Capellani Productions in Fort Lee in "The Fortune Teller."

J. Robert Pauline, the hypnotist, is to be starred in a new serial now being made at Flushing, L. I., from the story by Arthur B. Reeve and John Grey, with two directors at work on it.

Sachs Fidelman, concert master of the Rialto has returned from a three weeks concert tour.

Lieutenant Melvin W. Maynard, "The Flying Parson," is to appear in a new feature in ten parts called "Determination," in which Tod Sloan, once premier jockey of the world, is also to be seen. F. F. Stoll is the producer and will spend \$500,000 on the picture.

Oscar Apfel has been engaged by Albert Capellani to direct "Held in Trust," with Dolores Cassinelli.

June Mathis, Metro scenarioist, is coming East on a vacation.

Arthur and Lois Zellner are writing the Scenario of "Juda" in which May Allison is to be starred.

Henry Harmon will play the role he played in the stage production of "Old Lady 31," for the Metro picture by the same name.

Edward J. Shulter has been placed in charge of the exterior art work on all Metro Screen Classics Pictures, in Hollywood.

Paul Turner has been selected as Vice President of Taylor Holmes Films, Inc., of which the comedian is president, Thomas A. Parsons supervising director, and H. H. Brunner secretary.

W. T. Beckway has been especially engaged to photograph "Old Lady 31," for Metro.

Pathé will release "Fighting Cressy," the Bret Harte feature in which Blanche Sweet is starred, on January 16th.

"The A.-B.-C. of Love," with Mae Murray in the stellar role, will be released by Pathé on December 14th.

Doris Kenyon is to be starred in a film version of Augustus Thomas's play "The Harvest Moon," for Deltrich-Beck.

Juanita Hansen has been engaged to star in a new serial for Pathé, after she completes "The Lost City," for Selig.

Norma Talmadge's second First National picture will be "The Woman Gives," by Owen Johnson, which Roy Neill will direct.

"At The Barn," in which Constance Talmadge is being starred, has been changed, finally, to "Two Weeks," and will be released under that name.

June Caprice who was forced to quit work on "Little Mother Hubbard" because of illness, has recovered and is back at work.

Edward Slatman is to direct Bessie Barrisscale in "The Luck of Geraldine Laird," for B. B. Productions.

Cissy Fitzgerald will be starred in a series of two reel comedies made by United Picture Theatres, the first of which will be released on December 14th and called "Cissy's Economy."

Texas Guinan, sharpshooter deluxe and second Bill Hart, is to be featured in a series of two reel western features for Bull Eyes Films.

Robert Vignola, under contract with International to direct Cosmopolitan features, has arrived from the coast and will soon start work on his first picture, probably with Marion Davies.

HUDSON Theatre, West 44th St. Eves. 8.20. Mats. Wed. & Sat. 2.20. **BOOTH TARKINGTON'S** New Comedy **CLARENCE**

ELTINGE Theatre, West 42nd St. Eves. 8.20. Mats. Wed. & Sat. 2.20. **A. H. WOODS** Presents

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INA CLAIR in a New Comedy by Avery Hopwood **THE GOLD DIGGERS**

BELASCO W. 44th St. Eves. 8:15 Mats. Thurs. & Sat. 2:15 **DAVID BELASCO** presents

LENORE ULRIC In "THE SON-DAUGHTER" A play of New China by George Scarborough and David Belasco

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This Week **Mischief Makers**

Next Week—MONTE CARLO GIRLS Every Sunday—2 Big Concerts 2

"MY LADY FRIENDS" MAKES GOOD PIECE FOR CRAWFORD

"MY LADY FRIENDS." A farce in three acts by Emil Nytray and Frank Mandel. Presented by H. H. Frazee, at the Comedy Theatre, Wednesday evening, December 3rd, 1919.

CAST

Catherine Smith.....Mona Kingsley
Eva Johns.....June Walker
Hilda.....Rae Bowdin
Lucille Early.....Theresa Maxwell Conover
Edward Early.....Frank Morgan
James Smith.....Clifton Crawford
Tom Trainer.....Robert Fiske
Norah.....Edith King
Gwendolyn.....Jane Warrington
Julia.....Jessie Nagle

Unheralded by the usual noisy blare of the press agent's trumpet, "My Lady Friends" crept quietly into town last Wednesday night and proved to be highly entertaining.

The new piece, with its moderately conventional and amusing plot, is without doubt intended as a warning for old-fashioned wives who do not know that the best and only way to keep a husband is to keep him broke.

The story revolves about one Jimmie Smith who has made a fortune selling bibles and whose chief occupation in life is to spread sunshine by throwing his money around. Then there is his wife, one of those saving souls, whose chief enjoyment is extracting a whole dinner from a soup bone.

It is not until she has learned the bitter lessons of two acts and a half that Mrs. Jimmie takes the hint and begins squandering. She handles money like a baby would a new toy, buying diamonds and other luxuries and even going so far as to take a \$100,000 place on Long Island.

And so on and so on, an amusing piece from beginning to end, made more so by the presence of none other than Clifton Crawford, who, in the role of the spendthrift husband, injects contagious merriment in every scene. He is ably assisted by Theresa Maxwell and a chubby personage named June Walker.

GOV'T SUES GENERAL FILM

The United States Government is suing the General Film Company, now defunct, for \$11,394, due for taxes on net taxable income for 1914. General filed a net income of \$66,513 with the Government, but the latter discovered that the profits were \$1,139,500. The General had contended that footage charges were deductible under the law and, upon the decision as to whether they are or not, rests the Government case.

WEBER AND SELZNICK COMBINE

L. Lawrence Weber and Lewis J. Selznick have combined in the formation of a new producing medium to be known as "Weber Productions, Inc." with Weber as president and Selznick as treasurer. Edith Hallor is the first star of the new producing firm, and her first vehicle will be "Children of Destiny," under the direction of George Irving. Miss Hallor was formerly with the "Follies," "Experience," and "Leave It to Jane."

LAUGHS

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DEATHS

MEYER COHEN, president of the Meyer Cohen Music Publishing Company, died Wednesday, Dec. 3rd, at the Misericordia Hospital from blood poisoning which began with an infected finger. He was fifty-five years of age and a native of California.

Mr. Cohen came east about twenty-five years ago, a member of Archie Boyd's theatrical company, in which he was featured as a singer. He had a big and pleasing voice and, in addition to touring with many of the big companies, was heard in vaudeville, where he was one of the first to introduce the illustrated song act. Leaving the stage, he became connected with the music house of Chas. K. Harris, where he was first New York representative and afterward general manager, a position he held for seventeen years. Following this he became manager for Harry Von Tilzer and for the last two years was the head of his own publishing house. His wife died last summer and he leaves no blood relatives in the east, a step-daughter being his next of kin. Widely known in both the musical and theatrical world, of pleasing and kindly personality, Cohen left a host of friends to mourn him.

The funeral was held on Friday at Campbell's Mortuary Church and was attended by scores of people prominent in the theatrical and musical world.

In memory of my friend
MEYER COHEN
who passed away Dec. 3rd, 1919
LEO WOOD.

In memory of my dear wife
ELISE BISHOP MELVILLE
who died Dec. 10th, 1918.
Gone, never to be forgotten
by her devoted husband
WILLIAM MELVILLE.

In loving memory of my darling
sister
Myrtle Verdier
Died December 13th, 1918.
I miss your love, and will never,
never forget you.
Your loving sister
HATTIE.

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WM. MCNALLY
31 East 123d Street New York

William H. Stowell Farr, a motion picture actor, was killed last week in a railway accident near Elizabethville, South Africa. He was born in Boston and was 35 years old. He appeared in several Universal productions, supporting Dorothy Phillips, among which were "The Heart of Humanity," "The Right To Happiness," and "Paid in Advance."

Ethan Melville Robinson, booking manager of the Keith Vaudeville Exchange, died last week at his home from pneumonia.

Mr. Robinson was born in Albany on June 5, 1873. He started his career in the show business with a circus, and later became manager for Proctor's Albany Theatre. When the 58th Street theatre was completed, he was placed in charge there and after three years, came to the office of the United Booking Office. At the time of his death he was in charge of the booking of all the B. F. Keith houses in the Middle West, including those of Harry Davis, Pittsburg.

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1390—D. J. Boyle.....	Act	1398—Robert T. Clark.....	Song Poem
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Advertisements not exceeding one line in length will be published, properly classified, in this index, at the rate of \$10 for one year (52 issues). A copy of The New York Clipper will be sent free to each advertiser while the advertisement is running.

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